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The Department of State

bulletin



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General
Doc. Dept

Laying the Cornerstone of the American Memorial Library at Berlin

Remarks by Secretary Acheson

On June 29 Secretary Acheson spoke at cornerstone-laying ceremonies at the site of the American Memorial Library at Berlin. The previous evening he attended a dinner given by Mayor Ernst Reuter of Berlin and presented to his host a volume for the library. Following are texts of his remarks on the two occasions.

A TOKEN OF SPIRITUAL FELLOWSHIP

[Released to the press June 28]

We will witness tomorrow the ceremonial laying of the cornerstone of the American Memorial Library, a monument to the fellowship of the American people and the people of Berlin. In connection with this ceremony, I would like to present to you, Mr. Mayor, a token of spiritual fellowship a century old. This is a volume which contains copies of more than 50 letters exchanged between Carl Schurz, a liberal of German birth, and President Abraham Lincoln. These letters were written before and during the Civil War period and deal with philosophical and political problems as well as with strictly military ones. This book is the only one of its kind. It has been prepared for this occasion by the Library of Congress, which I understand has agreed to enter into a cordial working relationship with the American Memorial Library.

The year 1952 is the one hundredth anniversary of Carl Schurz' immigration to the United States. I am sure you are familiar with his extraordinary career in the United States. He rose from the ranks of local politics, and became later Minister of the United States to Spain, Brigadier General of Volunteers in the Army of the Potomac, U.S. Senator from Missouri, and Secretary of the Interior in the Cabinet of President Hayes. Many of our foreign-born citizens have attained great stature and national fame in the United States. But few have reached a position of such eminence as Carl Schurz. There are many good reasons for this. Schurz was a brilliant man, and gifted orator, writer, politician, and statesman. What is more, he was a fighting liberal, a man inspired

by deep humanitarian principles and devoted to the democratic concept that all men are created equal. It was the fine heritage of 1848 which he defended all his life and which endeared him to the American people and to Abraham Lincoln. During the Presidential campaign of 1860, Lincoln wrote Schurz: "To the extent of our limited acquaintance, no man stands nearer my heart than yourself."

This correspondence between Lincoln and Schurz brings out a number of differences of opinion regarding military affairs, and this democratic give and take is in itself interesting. It also shows a remarkable similarity of views in such fundamental matters as the abolition of slavery, the necessity for the preservation of the Union, and the adoption of a liberal policy for the postwar reconstruction of the South and its integration into the Union.

I am happy to make this contribution to the contents of the American Memorial Library. May the ideals of Carl Schurz and Abraham Lincoln inspire and guide the defenders of freedom, in Berlin as in America.

"FREEDOM TO LEARN, TO STUDY, TO SEEK THE TRUTH"

[Released to the press June 29]

Today we are laying the cornerstone of the American Memorial Library. It is to be open to all who desire to enter and learn what men of all nations and all beliefs have thought and written.

When Mr. McCloy¹ suggested to me last month that I might like to come to Berlin and take part in the dedication of this building, the suggestion appealed to me immediately. I have been anxious to return to Berlin and to see and feel again, as I did in 1949, the great courage and vitality that make the people of this city a source of inspiration in this sorely tired world.

At the same time this honor rightly belonged to Mr. McCloy. For we are dedicating this li-

¹ John J. McCloy, U.S. High Commissioner for Germany.

brary today because Mr. McCloy, 21½ years ago, had the idea of erecting a practical and enduring memorial to serve as a constant reminder of the spirit of cooperation and mutual respect which has characterized the relationships between Americans and Berliners in recent years. Berlin needed many things and Mr. McCloy hoped that the memorial would contribute to the enrichment of the lives of all Berliners, East and West.

With this guiding principle in mind, a group of Americans and prominent Germans met to discuss possibilities. Many suggestions were presented but the one which received overwhelming support was for a public library.

They chose well. For it is not only a building which we are dedicating today but a symbol of our common cause and of our joint undertakings. More important, perhaps, it signified the fact that the freedom we seek to promote is ultimately a very simple, very unpretentious, and very personal affair. It is freedom to learn, to study, to seek the truth. This is the essence of a free society. This is the source of our greatest strength.

Our American forefathers early recognized the close connections between knowledge, truth, and freedom. They recognized that the intellectual and spiritual inheritance of any generation must be acquired by that generation. Concrete things, such as land and wealth, can be inherited from the preceding generation. But the only way really to receive an intellectual and spiritual inheritance is to relearn it, to reacquire it. We know that it is possible for a single generation to lose the most important elements of the culture that has been handed down to it.

This was something which the pioneers who came to our country understood and with which they were deeply concerned. Even as our forefathers cut the trees down and protected themselves against attack, they saw how quickly their own heritage would be lost unless something earnest and drastic was done. Beginning in those early years and continuing throughout the history of American migration across the wide continent, it was of primary and not secondary importance to provide schools, colleges, meeting houses, and libraries at each new outpost. And with its roots in those early heroic efforts, these institutions have kept alive, and expanding, and available to all who earnestly seek it our rich inheritance.

We are indebted to the Old World for the basis of our cultural heritage, but we have extended the frontiers of knowledge to the common man. Knowledge in our eyes is not the privilege of the expert or of the mighty; it is the property of everyone who strives earnestly to attain it.

In America, the public library symbolizes this philosophy. It is for these reasons that I feel it is particularly appropriate than an American memorial should take the form of a public library.

Tribute to German Culture

The memorial library is also a tribute to Berlin's cultural heritage which has been generously shared with us. We remember that our own cultural heritage owes much to Germany and to Berlin. We have benefited greatly from your academies and your learned men. The fame and influence of Berlin's academies of science and of the arts, its university, its theaters, its music, and its great publishing trade, have been deeply felt in America. Not only the youth of Germany but the young men and women from all over Europe and from the United States came to Berlin to receive their training in your educational institutions and in turn to carry the messages of the Humboldts, of Virchow, and Mommsen all over the world. The wealth of creative activity which characterized the life of Germany and of Berlin in the early part of the century, and particularly in the twenties, continues to exert influence around the world.

Two thousand years ago it was written: "and ye shall know the truth and the truth shall make you free." Today, as then, truth and freedom are inseparably joined. Tyrants may seek to throw up barricades against the truth. But truth will prevail and with it freedom.

There are nations today who seem to be deathly afraid of this freedom. Free access to knowledge, open shelves, unchecked selection of books—all this is anathema to them. They have placed their books under lock and key; they ban the written and spoken word when it originates with uncontrolled sources. They punish severely those who seek the truth wherever it may be found.

Nothing can point up in more telling fashion the nature of the conflict which divides our world today than this: where others retire behind barbed wire, we open wide the doors to knowledge so that the truth may guide us.

The American Memorial Library will remind future generations of the spirit of fellowship which the people of America and the people of Berlin have demonstrated in maintaining jointly the freedom of the city. We Americans have always felt a deep kinship with those who are staunch in the defense of their liberty. Generations of early Americans, in the face of almost constant danger, never waived in their determination to defend their liberty, if need be, with their bare hands. The Freedom Bell which tolls from your city hall in Schönberg and our Liberty Bell in Philadelphia are symbols of this determination.

This memorial declares the sympathy and respect of the American people for the unfaltering struggle of the people of Berlin under the inspiring and confident leadership of Mayor Ernst Reuter to defend their liberties in the face of the threats and intimidation of a system which makes denial of free thought a primary tenet.

While we honor those who are engaged in the

defense of their freedom, we never forget those other Germans who have been deprived of their liberty. With those Germans of the Soviet zone, who despite all threats and hardships have kept burning in their hearts the flame of liberty, truth, and the rule of law, we look forward eagerly to that day when they may rejoin the free world in a Germany united in peace and honor. In the meantime, through their courage and steadfastness they are aiding in the restoration of German unity and freedom. To these people and to us, Berlin remains a symbol of the goal of German unity.

A few weeks ago, as you know, the Government of the United States, together with the Governments of France and Great Britain, concluded a very important agreement with the Government of the Federal Republic. For all practical purposes, this agreement will give the Federal Republic the powers of self-government and the status of equality in international relations, which are the prerogatives of free nations.

The agreement does not apply to Berlin, although Berlin will benefit indirectly from the new arrangements. It is our intent that the people of Berlin enjoy to the fullest extent possible the rights and privileges enjoyed by free men everywhere.

The responsibility for such restrictions as remain rests squarely on those who do not wish to recognize the rights of all Germans, East and West, of free elections, to live in freedom under one government and one constitution. The responsibility must rest with those who do not wish to acknowledge the great progress made in Western Germany toward political sovereignty and prosperity and who wish to turn back the clock on this progress. The responsibility must rest with those who feel that they can serve their own ends only by keeping the rest of the world in a state of intimidation or servitude. They shall not succeed.

Continued U.S. Support for Berlin

Whatever the political or legal status of Berlin is to be for the time being, it will affect in no way United States support for the welfare of the city and the safety of its citizens. We have joined the Governments of France and Great Britain in reaffirming our abiding interest in the protection of Berlin. We have given notice, in plain and unmistakable language, that we are in Berlin as a matter of right and of duty, and we shall remain in Berlin until we are satisfied that the freedom of this city is secure. We have also indicated in unmistakable terms that we shall regard any attack on Berlin from whatever quarter as an attack against our forces and ourselves.

I mention another memorial in Berlin which Berliners themselves have dedicated. It is the memorial to those valiant men, Allied and Ger-

The American Memorial Library at Berlin, Germany

[Released to the press June 28]

The American Memorial Library, Berlin, is a gift of the American people to the citizens of Berlin to commemorate the end of the period of Occupation by the American Armed Forces. John J. McCloy, U.S. High Commissioner for Germany, looking forward in 1950 to the end of the Occupation period, expressed his desire that this memorial should take some cultural form expressing the American way of life, which would be most acceptable to the citizens of Berlin. Among the suggestions made at the time were an opera house, a museum, a concert hall, and a library. A committee of leading citizens of Berlin met and expressed their preference for a library. The Office of the United States High Commissioner for Germany then set aside a sum of 5,000,000 DM from counterpart funds derived from the Marshall Plan, 4,000,000 of which were to defray the costs of the building and 1,000,000 for books and periodicals. Mr. McCloy said at the time the grant was made on August 17, 1951:

"It is not only money but something tangibly good. I hope it attains the objective we have in mind—to help restore this great city to the status it once had and to continue its reconstruction as a symbol of freedom to the whole world."

In accepting the grant Dr. Walter Schrieber, the Acting Mayor of Berlin, replied:

"We are especially grateful that this grant will be used for a library, because we have suffered not only great physical damage, but also great spiritual damage. This gift will not only help us in our general cultural life, but will aid us in the education of our youth to enable them to play their part in the establishment of a free world."

Approximately 200 German architects living in Berlin and in the Western zones of the German Republic took part in the democratic architectural competition which followed. While prizes were given to the best designs by a jury including Germans and Americans, the final design for the building which is now being erected was derived from the best features of the four most outstanding designs submitted. The 6-story structure will be 525 feet in length and the library 250 feet wide at its greatest depth with a book capacity for approximately one million volumes. The interior will reflect American library practice with the open-shelf system predominating, thus making the books and periodicals readily available to the German public.

Plans are being made so that the contents will not duplicate the holdings of existing scientific and technical libraries in Berlin, nor the new library of the Free University of Berlin which the Ford Foundation has recently presented. It is planned, however, to establish a central catalog in the library in which the titles of the books in the other libraries in the Western sector of Berlin will be listed. Like the public libraries in our American cities, it will contain books primarily useful to the ordinary citizen, whether he be a musician, journalist, teacher, laborer, or public servant. Provision has also been made for a music room and a children's library. In general it will reflect the fundamental American principle that access to truth and knowledge is not only the privilege but the inherent and inalienable right of the citizen.

man, who gave their lives during the airlift so that this bastion of freedom might survive.

One of the significant details about the airlift which has gone almost unnoticed is the fact that it brought to Berlin, along with food and other essential goods, approximately 4,000 technical volumes donated by American universities and institutions designed to assist in the establishment of the library of the free university. In addition, it brought to Berlin an average of 60 tons of paper weekly for use in producing books and periodicals and at the gravest period of the airlift 210 tons of newsprint weekly to permit the continued publication of Berlin's free press. This was a powerful demonstration of the understanding that learning and truth are part of the very breath of life in a free society.

This is the spirit inherited and carried forward by the institution we are here to dedicate. The airlift memorial is a monument to the dead; this building will be a monument to the living. Both monuments are symbols of freedom.

It is my hope that the doors of this library will never be closed to those who earnestly seek the truth, and that it may serve, as far as possible, the entire population of Berlin, both East and West, and that every citizen may find here the knowledge and truth which are so basic to our freedom.

I should like to leave with you words spoken by Thomas Jefferson in connection with the founding of the University of Virginia. Jefferson said:

This institution will be based on the illimitable freedom of the human mind. For here, we are not afraid to follow the truth wherever it may lead, nor to tolerate error so long as reason is left free to combat it.

Secretary Acheson Departs for Europe and Brazil

Statement by the Secretary¹

As you know I am making a very quick trip to London, to Berlin and Vienna, and from there to Brazil. In England I shall be discussing a number of things with Mr. Eden and with the French Foreign Minister. I am also going to Oxford where an honorary degree is being conferred on me.

At Mr. McCloy's suggestion, I shall spend a day in Berlin where a memorial library is being dedicated. This will give me an opportunity to pay tribute to the Berliners whose courage and tenacity in the face of great harassment has been admired by everyone in the free world.

From there I am going to Vienna at the invitation of the Austrian Government where another

¹ Made at the Washington National Airport on June 22 and released to the press on the same date.

brave and determined people have been patiently waiting for the independence promised them in 1943.

Foreign Minister Neves de Fontoura's invitation for me to visit Brazil on the return trip will afford me an opportunity to see for the first time the great sister Republic which has such long and firmly established ties of cooperation and good will with the United States. My only regret is that I cannot on this occasion visit the other republics of this hemisphere as well.

Visit of British Ministers of Defence and State

Text of Communiqué

[Released to the press June 24]

Field Marshal Lord Alexander of Tunis, the British Minister of Defence, and Mr. Selwyn Lloyd, the Minister of State in the Foreign Office, spent Monday, June 23d in Washington in a series of informal meetings at the Department of Defense and the Department of State. The American representatives engaged in the discussions included Mr. Robert Lovett, Secretary of Defense, General Omar Bradley, Chairman of the Joint Chiefs of Staff, and Mr. David Bruce, Acting Secretary of State.

The British Ministers gave a description of their recent journey which included visits to Japan and Korea. During the journey Lord Alexander and Mr. Lloyd had had the opportunity of conferring among others with General Mark Clark, Commander-in-Chief of the United Nations Command for Korea; Mr. Robert Murphy, United States Ambassador to Japan; General James Van Fleet, Commander of the 8th Army; General Naydon Boatner, Commanding Officer of the Prisoner of War Camp at Koje-do; and General A. J. H. Cassels, Commander of the Commonwealth Division of the United Nations Forces. The Minister of State also visited the United Nations Organizations in Pusan concerned with the rehabilitation of Korea.

During the talks in Washington, the American and British representatives discussed all aspects of the Korean campaign, including the prospects of bringing the armistice talks to a successful conclusion and the importance to the United Nations cause of stable political conditions in the Republic of Korea. The conversations proved most useful to both sides.

Lord Alexander and Mr. Lloyd concluded their visit with a call on the President of the United States at the White House this morning. They leave tonight by air for London.

Department of State Bulletin

Wellsprings of American Democracy

by Francis H. Russell

Director of the Office of Public Affairs¹

Before telling you *what* I am going to talk about, I would like first to tell you *why* I am going to talk about it.

First was something that happened to one of our Point Four experts when he was on assignment in India to help increase the corn yield in that country. On the very first morning, in the middle of the discussion, one of the Indian farmers interrupted the talk on corn planting by demanding of the expert: "What is your philosophy?" That was not as peculiar as it sounds. Corn, and what we can do to help India grow more of it, is important to Indians, but even more important in their eyes is understanding "our philosophy."

The second reason for the subject of my talk was something that happened to me personally. I took a trip a short while ago to some of the NATO countries. I found that more frequent than questions about our military strength or our economic production were questions designed to find out about the average American's attitude toward race relations. How do we square, for instance, the segregation we have here in the Nation's Capital with our Declaration of Independence? You find this concern everywhere. And I found them genuinely interested in learning about the great progress we have made over the past hundred years—and are making today—in dealing with this whole broad problem.

The third reason was an article that appeared a while back in one of our American periodicals. A Columbia University professor, writing in *Foreign Affairs*, said: "The United States is facing [the present world crisis] with the . . . ideological equipment of 1775. . . . Our principal weakness today is not economic or military,

but ideological—not a matter of goods or guns, but of ideas."

A high-school teacher put it, I believe, even better in an article in the *Saturday Evening Post*. "It is a tragic commentary," she said, "that millions of Americans would willingly die to save the Constitution but only a few of them will ever read it. I can refer my students," she said, "to authoritative sources on foreign isms, Marx and Engels' *Communist Manifesto*, Lenin's *The State and Revolution* . . . Hitler on National Socialism . . . but who or what is authentic on contemporary Americanism?" "When we take an oath of allegiance," she said, "we should be able to explain the thing to which we give our allegiance."

There are scores of editorials written every week in American newspapers pointing out that we need to be more than just *anti*-Communist and *anti*-Fascist. We need to be *pro* something. But rarely do any of them go on to say *how* we should give expression to this "pro."

Our difficulty stems, in part, from the fact that we have been so busy here in America for the past century and a half *building* our democracy, in living it and applying it, that we have taken no time to give verbal expression to it. The difficulty is greater, of course, because it is not possible for a society like ours, that represents multifarious vitalities, forces, values, and beliefs, to present a single fanatic creed. Life for us is not a one-dimensional proposition—as it is with the Communists with their exclusive insistence on economic determinism.

The final reason for my subject is you 4-H Club members who are going to foreign countries this summer. You will be questioned. People will try to find out from you what makes Americans "tick"; what the "philosophy" is that has enabled this country to give its people the highest standard of living in the world and the greatest freedom.

¹Address made before the 22d National 4-H Clubs Camp at Washington on June 24 and released to the press on the same date.

But they are interested also because they see the world today split between two ways of life, and the United States is the acknowledged leader of one of them.

The Communists fill the air with charges that we are a crass, money-mad, ruthlessly competitive society. They say we have large oppressed minorities; that we are bent on war; that we are promoting colonialism politically and economically; that we push smaller nations around; that we live, ourselves, under a dog-eat-dog system that gives the lesser dogs only the "leavings."

These are some of the things our friends have heard about us. Few of them really believe it but they are anxious because they know that we must provide the leadership for the free world and they want to know into what kind of hands this leadership has gone.

So they will ask you such questions as "What is America's philosophy?"

America's Philosophy

That is what I want to talk about this afternoon. It is the biggest single piece of unfinished business in our struggle against the enemies of a free society. Our program for military preparedness is well under way. Our international political institutions are daily becoming stronger. The free world's economy is potentially adequate. Those are three of the fronts on which the present struggle is being waged. But the struggle of ideas is the first and the foremost front of all.

Now, the most important thing to notice about this item of unfinished business is that it must be finished by American citizens themselves. We can set up a military establishment to be responsible for organizing our defense. We can hire economists to tackle our economic problems. But we cannot hire people, in a democracy, to tell us what we think, how we live, and the things we stand for. For the essence of our beliefs is that no person or group of persons ought to dictate to us a body of political doctrine. Everyone of us has the responsibility to help provide *an* answer, and no one of us can give *the* answer.

Right there, of course, is the fork in the road that divides us from the Communists. Almost any Communist anywhere in the world can give the Communist answer on almost any world problem. That is because the Communist answers are fixed by a very small group of men and every Communist, if he really *is* a Communist, has to give that answer, and no other.

That seems at first blush to give them something of an advantage: every member of the organization knowing how to find out quickly and easily what to say, and saying it.

The situation in a democracy, where no two people say exactly the same thing because it is believed that each person not only *may* think for himself but that he *should* do so, may seem chaotic.

But we should remind ourselves of John Burroughs' comment: "Nature always hits the mark because she shoots in all directions."

In a society where everyone is free to think and to submit his thoughts for honest discussion, we are more likely to come upon the eternal truths than in a society like that of the Soviet Union where everyone "shoots" in just one direction. The chance of that one direction being right is infinitesimally small.

This does not mean that a democratic society, any more than the individuals who make it up, must always be running off in all directions. But it does mean that it can look in all directions before making up its mind and setting its direction. It is not bound and blindfolded by an authoritarian political creed. This is one of the reasons for our insistence upon freedom of thought, freedom of the press, freedom of speech, and freedom of assembly.

I said a moment ago that each one has an obligation in a democratic society to think through what he believes to be the essence of the democratic way of life. You have that obligation. And so do I.

If I were to be in Italy next week, as some of you will be, and were to have an Italian university student come up and ask me what "my philosophy" of democracy is and how it differs from the philosophy of communism that he hears so much about, I would try to draw upon some of the things I have been hearing Americans say in the last year or two and I would say something like this:

Conversation With a Friend

"You can understand American democracy, my friend, only if you realize that it is not a particular constitution, a particular set of laws, or economic system, or religion. It is an approach, an attitude, a freedom to think in all directions.

"There are several ways anyone could go about defining our democracy for you. One would be to describe its operations and manifestations: how our labor unions work; how our business organizations are owned and run—for instance, how a typical American big business has some 50,000 owners; how America tends toward a classless society because of its great mobility, horizontally and vertically; about our graduated income and inheritance taxes, putting the burden of government on a more equitable basis; our social security; our nongovernment organizations; our church life; our public schools; our widespread opportunities for higher education, not to mention county fairs, town meetings, community chests, amateur musicals, and all the rest. Some of these things we have evolved ourselves. For many of them we have drawn upon the experience of other peoples.

"But another way to define our democracy, my friend, and the one that I would like to try for

you today, is to search out the sources, the well-springs, that have made our democracy what it is and that keep it going.

"If we do this we find that American democracy has three main sources upon which it has drawn. And in these three sources, incidentally, you find the basic differences between American democracy and Soviet communism.

Sources of the American Democracy

(1) *Experience of the Ages*

"The first source of American democracy is what we may call *the experience of the ages*. The millions of pilgrims who have come to our shores have brought with them the accumulated wisdom of their people down through the centuries: experience in such things as how to organize town affairs; how people of different religions can get along with each other; how to set up legislatures and institutions of justice; how to provide fairly for the ownership of property. All of these things are the result of centuries of trial and experiment, of discarding the unworkable and keeping the good. No small group in our country has ever been in a position at any time to decree that such and such would be the way that things should be done. We drew upon what seemed to be the best in many countries and have continued to change and improve.

"The Communists, on the other hand, believe that the ways that have been worked out through the centuries are evil. They have a few people who sit down and decide how things shall be. And this single pattern they impose by force wherever they go. It is a synthetic fabrication to fit the theories of a few individuals. In most of its fundamentals it flies in the face of all experience. But when they make a decree that is the way it is, even though, as in the case of the communizing of the farms of Russia, it results in the death of millions of people.

"Of course, all societies have conflicting interests. It is inherent in nature. But in a democracy these conflicts are resolved by the majority of the people or their representatives. In a totalitarian state they are resolved by force, purges, executions, and slave camps.

"All of history shows that if men are chained and oppressed, there are upheavals, reprisals, and bloodshed; that stability is possible only in a society where men have freedom. No government can endure for very long if it denies people the right to seek truth and to proclaim it.

"In short, freedom works and oppression does not.

"So the experience of the ages is the first source of our beliefs.

(2) *Growing Knowledge of the Nature of Man*

"The second great source of American democracy, my friend, is what we may call *our constantly growing knowledge of the nature of man*.

"Our Declaration of Independence, in its most famous phrase, said that all men are endowed by their Creator with certain unalienable rights, among them being life, liberty, and the pursuit of happiness. The framers of the Declaration thus stated their belief that the indispensable prerequisite of happiness is liberty; the indispensable prerequisite of liberty being life itself.

"You find the phrase, 'the happiness of the people,' all through the sayings and writings of the early Americans who addressed themselves to the problem of the purposes of society.

"Listen to the words of the preamble of the Constitution of one of our States, the Commonwealth of Massachusetts:

The end . . . of government is to . . . furnish individuals with the power of enjoying . . . the blessings of life . . . it is instituted for the . . . happiness of the people; and . . . the people alone have an incontestable . . . right to . . . alter . . . [it], when their . . . happiness requires . . .

"This concept was for a while brought into disrepute because of an attempt to equate 'happiness' with 'pleasure.' But our forefathers knew what they meant. They knew there is an unhappiness that is the lot of slaves and of those who are ground down by poverty or ignorance, just as millions today know it in a society characterized by the sudden knock on the door, the enforced spying of friend upon friend, and terrorism.

"And they knew there is an 'inward happiness' that comes from the growth of the individual personality, from participation, from using one's powers, from a sense of belonging.

"All that we have been able to find out about the nature of man—and our store of knowledge about what makes for his 'inward happiness,' and what does not, is growing rapidly—points equally to this same need for him to have freedom to grow—to grow physically, mentally, and spiritually, to have a sense of worth, a sense of moving forward.

"Listen to modern psychology: 'All cells,' it says, 'so long as they are living, are functioning. And in every form of living substance exists an inclination toward a specific series of processes. The spinning apparatus of the spider, the wings of the bird, the feelers of the crustacean have a drive toward activity. So it is with the infinite capacities of the human being, physical, intellectual, and spiritual.' 'Happiness,' the psychologists say, 'is what results from the success of the process of working toward the goals of these infinite human functions.'

"All this is not just pure theory. For example, with the growth of industrial society the problem arose, how do assembly-line workers achieve this full life? We have found from experience that for man to be really happy, his activity must be end-guided. If the worker is reduced to the status of a means and denied any goal except the intrinsic one of wage, the wage, however great, cannot

redress the deep wrong to his personality involved in the denial.

"Ours is a competitive society, and the competition stems from the desire of the individual to prove to himself his own worth. He measures it by looking around him and seeing what the achievements of other human beings have been. We accept conflict and utilize it.

"Communism is based on 'cooperation' but it is a cooperation which it finds is necessary to enforce the police state.

"All through our effort, as you see, has been the premise that the final and ultimate values are the human beings who make up the society; the premise that society was made for man and not man for society.

"And here we come upon a curious irony. Because the great threat today is the threat to the freedom of the individual, a great deal of the literature about the democratic way of life deals with the rights of the individual; and this has led to many people abroad thinking of us as rabid individualists with each man pursuing his own lonely path.

"The truth is, my friend, that Americans have an unusual capacity for cooperation. Community life is at the core of our pattern of living. Freedom of association between people is our great unwritten freedom. We believe the more bodies of society you have, the stronger and healthier will be the resulting structure. So we are bound together not only by the state but by a thousand additional ties. We are the greatest 'joiners' in the world.

"Here again we have a conflict between democracy and the authoritarian society. Under the Soviet system you have no honest communities, because under a police state each person has to be on his own. He cannot trust even the members of his own family. A Communist is the touchiest person in the world.

"In the eyes of the Kremlin, power flows *down* from the state, not *up* from the people, and human beings are pawns, cogs, instruments to serve the regime. Therefore, knowledge about the nature of man is of little importance.

"The Communists lay claim to having found the scientific approach to human relations. But it is a spurious claim. The science they apply is the mechanical science of the machine—and man is not a machine.

"We are entitled, however, to say that, in a profounder sense, the process of democracy *is* scientific. Given the problem as being one of an adjustment of human relations calculated to satisfy the claims made upon one another by individuals and groups in the hurly burly of human contacts and the frictions which those contacts produce, the democratic process is perhaps the most scientific possible. It is based upon this rapidly growing science of the nature of man.

(3) *A Spiritual Approach to Life*

"The third source of our American way of life, my friend, is the *great body of mankind's spiritual insights*. Americans can be understood only by understanding what Lord Bryce called 'their strong religious sense.' He put it first among their traits—before their 'passion for liberty,' 'their individualistic self-reliance,' and even before 'their suspicious attitude toward officials.'

"We believe, with Jefferson, in the existence of a moral instinct, and with Lao-Tze that only that government has value which is in accord with this moral nature.

"Many of our early settlers came here to escape religious persecution, and we have always had a great concern with freedom for religious convictions and for varieties of religious worship. Many Americans are adherents of formal religions; many, like Lincoln, have drawn their inspiration from less formal convictions, from a 'reverence for life' and a devotion to man's duty toward man.

"From this 'religious sense' flow the honesty, devotion to duty, and respect for human life, as well as the understanding, the sympathy, the warmth, the tolerance, the forbearance which underlie our political and economic life and permeate our daily pattern of living—and without which no formal institutions of society, no matter how perfect, can long function effectively. Needless to say, we do not practice to perfection all of these things that we believe: but we tend to have a bad and uncomfortable conscience when we don't.

"Here, too, we find a head-on conflict between democracy and communism. Communism was conceived in hate—and it is still saying the same things in the same way after a hundred years, although the present conditions of labor in the United States would be beyond the wildest thoughts of Marx, and although the place where labor conditions are nearest to those against which Marx inveighed are today in the Soviet Union. This hate shows itself in the speeches of vituperation that Communist representatives continuously make in the United Nations, over the air waves and among their own people.

"Communism denies categorically the spiritual approach to life. It calls religion 'an opiate for the masses.' It proclaims materialism and glorifies it.

"Now you may ask, my friend, whether the principles that underlie our democracy are applicable in other areas and to other people, or are they possible only in our special circumstances.

"A partial answer is to be found in the fact that we have a mixed racial and cultural heritage, a tradition of universality.

"The second answer is that man, himself, is still man no matter where you find him. His physical wants are the same, and so, basically, are his spiritual wants. Indeed, here in our own country the environment, and the nature of the social prob-

lems, have changed. A hundred and fifty years ago ours was largely a frontier society, predominantly agricultural. One person in twenty lived in the city. Today that frontier has disappeared. We have become an industrial society. Two-thirds of our people live in cities. But the basic principles still apply and will as long as men remain men.

"It would be a mistake, therefore, to regard these three wellsprings of our democratic society as something only of the past.

"We are 'the continuous revolution,' the revolution of ordered progress for the common man. It is operating today as powerfully as ever."

These are some of the things that I would say to my young Italian friend if he were to ask me about American democracy.

And then I would also say: "We of the mid-twentieth century have an exciting prospect. We have the opportunity to lay the foundations of a democratic world. It is a challenge which none of us, anywhere, can escape. The rewards of success, or the penalties of failure, will accrue to everyone."

The Meaning of Citizenship

by Howland H. Sargeant

Assistant Secretary for Public Affairs¹

Standing here in the shadow of this memorial to one of the greatest of all Americans, I think of what the essence of good citizenship is as Jefferson saw it. To him citizenship meant an obligation and a sacred trust.

The citizenship pledge of the 4-H Clubs reflects Jefferson's ideals. I like particularly the closing paragraph:

We will endeavor to transmit this nation to posterity not merely as we found it but freer, happier and more beautiful than when it was transmitted to us.

You will not go far wrong if you make that pledge your test of good citizenship.

In these troubled times young people are often confused. You wonder, very naturally, what *you* can do to make your America freer, happier, and more beautiful. The 4-H Clubs are, I think, showing you the way. They give you the basic principles of good citizenship—and teach you how to live and work by them.

I was particularly impressed this morning when I watched a group of your club members

receiving their commissions as "Grass Roots Ambassadors."

This particular group, I was told, will go to 22 countries—in Europe, the Near East, and Africa. They will live and work with the peoples of these countries. They will learn, but they will also teach.

What an opportunity! And what an expansion of the concept of good citizenship! For your generation the horizons have widened to include the whole world, and you have the courage and confidence to handle that responsibility.

Not all of you, of course, have been given this responsibility. You are, however, backing the 4-H Clubs' "ambassadors of good will" with both material and moral support. Each of you participates, in a fashion, in everything these boys and girls do in spreading good will for America abroad.

This fall some of you will cast your first vote. As free men and women you will have your say in the kind of Government under which this country will operate for the next 4 years, or perhaps longer.

His vote is the good citizen's greatest privilege and greatest responsibility. I hope you, all of you who are eligible, are going to vote. Unfortunately, many Americans do not. A recent survey, in fact, showed that in 1950 only 41 percent of the potential voters of the United States actually cast a ballot. For some of these negligent citizens there was, perhaps, an excuse. For the great majority there was not. They merely failed to meet the responsibility entrusted to them.

Some of you boys, this year perhaps, will be called upon to assume one of citizenship's gravest responsibilities—to defend, in uniform, the freedom won for you by such men as Jefferson.

Here, again, it is a question of privilege and responsibility. A young veteran, Maj. [then Capt.] James Jabara, ace jet pilot of the U.N. Forces in Korea, returned from Korea. He was interviewed by a reporter from his home town of Wichita, Kans. The reporter asked him: "Why are we fighting in Korea, Captain?"

Jabara answered: "So we won't have to fight in Wichita, Kans."

Your duty may not take you to Korea. But wherever it takes you, keep that fact in mind. If you serve in Korea or Europe, or remain in the United States, the answer is the same. You are defending your freedom in Wichita, Kans., in Louisville, Ky., in any town in the United States you may name.

When this Nation was young, we were able—we, its citizens—to devote ourselves to the development of our own beautiful land. We had only occasionally to worry about other lands and other peoples.

That day is past. When the North Koreans struck at the Republic of Korea, 2 years ago at just about this time, they struck at the freedom and security of every American community, every

¹ Address made before the National 4-H Clubs Camp at the Jefferson Memorial, Washington, on June 24 and released to the press on the same date.

American home, whether a farm in the country or an apartment in the city.

Major Jabara put it very tersely in that short interview. But in those brief words he said everything.

Today the horizon of the good citizen has broadened. A "freer, happier and more beautiful America" is possible only if we think and act in these broader terms.

This does not mean, for any of us, that we love America the less. These boys and girls who are leaving for their overseas assignments—upon their return they will have tales to tell of these other lands they have seen and of the people they have met. I do not think, however, that any one of them will return loving their own America the less. They will be better, more loyal, and devoted Americans for their experiences.

You have taken a pledge to serve America. Keep that pledge alive in your hearts. Work at it. And, with God's help, you will transmit to the generation that comes after you "a freer, happier and more beautiful America" indeed.

Department Expresses Regret to Owen Lattimore

[Released to the press June 28]

On May 1, 1952, the Department announced that all passports were being stamped "Not Valid for Travel in the U.S.S.R. and its Satellites" unless such travel was specifically authorized.¹

On May 26, 1952, the Department of State received from an official security source a report that Owen Lattimore was making arrangements to travel to the U.S.S.R. Pending further investigation, the Department sent a confidential stop order to the Customs Bureau requesting it not to permit the departure of Mr. Lattimore from the United States. The confidential stop-order procedure has been in force for 11 years to prevent the possible violation of laws or of Government regulations for controlling the travel abroad of American citizens. The existence of this confidential stop order was divulged in the newspapers on June 20.²

¹ BULLETIN of May 12, 1952, p. 736.

² In a press release issued on that date, the Department stated:

"An allegation was recently made to the Department that Owen Lattimore was making arrangements for a possible visit to the Union of Soviet Socialist Republics and/or its satellites. The Department immediately began an investigation of this allegation.

"Pending the results of this investigation the Customs Bureau was notified that Mr. Lattimore (who was not in possession of a passport duly validated for such travel) should not be permitted to leave the United States.

"Mr. Lattimore last year applied for and was granted a passport to visit Great Britain. This passport is no longer in effect and Mr. Lattimore has not since applied for a passport."

The thorough investigation of the charges concerning Mr. Lattimore requested by the Department has now been completed. The F.B.I. has notified the Department that the original informant has admitted that the story which he had furnished concerning Lattimore's alleged travel abroad was a complete fabrication.

Proceedings were instituted which resulted yesterday in the indictment by a Federal grand jury of the individual who initiated the false report.

Accordingly, the Department has revoked its confidential stop order against Mr. Lattimore. The Department of State expresses to Mr. Lattimore its sincere regret over the embarrassment caused him.

Visit of King Feisal II of Iraq

[Released to the press June 18]

King Feisal II of Iraq has accepted an invitation to visit the United States during the months of August and September. The 17-year-old heir to the throne of Iraq will be accompanied by his uncle the Regent of the Kingdom of Iraq, His Royal Highness Prince Abdul Illah. The coast-to-coast visit will be on an informal, unofficial basis, and will include trips to various irrigation and agricultural development projects in this country. The King and the Regent will meet with the President during the course of their visit.

King Feisal will ascend the throne of Iraq on his 18th birthday, May 2, 1953. He is now a student at Harrow School in England, and will complete his studies there in July.

Current Legislation on Foreign Policy

The Mutual Security Act of 1952. S. Rept. 1575, 82d Cong., 2d sess. [To accompany S. 3086] 1 p.

Amending the Foreign Service Buildings Act, 1926. S. Rept. 1586, 82d Cong., 2d sess. [To accompany H. R. 6661] 8 pp.

Free Importation by Religious Organizations of Altars, Pulpits, Communion Tables, Baptismal Fonts, Shrines, or Parts of the Foregoing, and Certain Kinds of Statuary. S. Rept. 1601, 82d Cong., 2d sess. [To accompany H. R. 7593] 2 pp.

Official Contribution of the United States Government to the United Nations Yearbook of Human Rights, 1950. S. Doc. 116, 82d Cong., 2d sess. 22 pp.

Convention on Relations With the Federal Republic of Germany and a Protocol to the North Atlantic Treaty. Message from the President of the United States Transmitting the Convention on Relations Between the Three Powers and the Federal Republic of Germany, Signed at Bonn on May 26, 1952 and a Protocol to the North Atlantic Treaty Signed at Paris on May 27, 1952. S. Exec. Q and R, 82d Cong., 2d sess. 328 pp.

Emergency Powers Continuation Act. H. Rept. 2041, 82d Cong., 2d sess. [To accompany H. J. Res. 477.] 46 pp.

Mutual Security Act of 1952. H. Rept. 2031, 82d Cong., 2d sess. [To accompany H. R. 7005.] 22 pp.

Foreign Bondholders' Representatives and German Debt Conference

[Released to the press June 24]

*Following is the text of a statement issued at London on June 24 by Warren Lee Pierson, U.S. delegate to the Conference on German External Debts:*¹

I regret that the Foreign Bondholders Protective Council has withdrawn its representative from the London debt discussions of the Young and Dawes loans.

The settlement proposal for these loans, which is now under consideration by the London conference on German debts, is entirely tentative and is subject to consideration not only from the standpoint of its implications to U.S. holders of Young and Dawes bonds but also from the standpoint of its general effect upon other creditors of Germany including all the other classes of American creditors.

Private creditor and governmental representatives of the United States, the United Kingdom, France, and the other interested countries have labored for more than a year to bring about a comprehensive and equitable settlement of the German debts. In this effort, the German delegation on external debts has given excellent cooperation. As a result of these efforts, a satisfactory conclusion of the London debt conference is within sight.

Efforts are continuing to be made to find a settlement arrangement with respect to the Dawes and Young loans which will be acceptable to all interested parties. It is to be hoped that the representatives of American holders of these bonds will return to the conference to resume negotiations regarding the Dawes and Young loans.

Claims of Nationals For Return of Property in Japan

[Released to the press June 25]

Under article 15 (a) of the peace treaty between the Allied Powers and Japan, which came into force on April 28, 1952, the Japanese Government is required to return all property of Allied Powers and their nationals within the present territorial limits of Japan, and in cases where such property was within Japan on December 7, 1941, and cannot be returned or has been damaged, to provide compensation to property owners for their loss or damage sustained as a result of the war

¹ This conference, which first convened at London on Feb. 28, recessed on Apr. 4 and was reconvened on May 19. For previous announcements relating to the conference, see BULLETIN of Feb. 11, 1952, p. 206; *ibid.*, Mar. 10, 1952, p. 397; *ibid.*, Mar. 24, 1952, p. 461; and *ibid.*, May 26, 1952, p. 821.

within Japan in accordance with terms of the Allied Powers Property Compensation Law (Japanese Law No. 264 of 1951).

In order to assist American nationals who desire to file applications under the treaty for the return of their property in Japan or, in appropriate instances, claims for compensation under the Allied Powers Property Compensation Law, the Department of State has prepared, after consultation with authorities of the Japanese Government, a memorandum regarding the manner in which such applications or claims should be prepared and filed. A copy of the memorandum is being sent to all American nationals who, on the basis of information available to the Department of State, have indicated a desire to file applications for the return of property or claims for compensation. American nationals who desire to file such applications or claims, but have not previously communicated with the Department, may obtain copies of the memorandum from the Office of the Legal Adviser, Department of State, Washington 25, D. C.

Applications for the return of property must be submitted by this Government to the Japanese Government before January 28, 1953. Claims for compensation must be submitted by this Government to the Japanese Government on or before October 28, 1953. However, to insure proper consideration of applications for restitution of property and claims for compensation, they should be filed with the Department of State with the least possible delay.

Annex to U. S.-Panama Air Transport Agreement

[Released to the press June 20]

The Department of State announced on June 20 an exchange of diplomatic notes between the Department and the Embassy of Panama implementing the route annex to the Bilateral Air Transport Agreement between the Government of the United States of America and the Government of the Republic of Panama, signed March 31, 1949,¹ to provide for a route for Panamanian air carriers.

Schedule two of the annex of the foregoing agreement has been amended to read as follows:

"Airlines designated by the Republic of Panama are accorded in the territory of the United States of America the rights of transit and non-traffic stop, as well as the right to pick up and discharge international traffic in passengers, cargo and mail via intermediate points in both directions at the points specified below:

"1. From the Republic of Panama to Miami, Florida via intermediate points in the Caribbean."

¹ BULLETIN of Apr. 10, 1949, p. 466.

U. S., Portuguese Defense Agreement

[Released to the press June 19]

The Portuguese and U.S. Governments on June 19 released the text of an agreement regarding military facilities in the Azores signed at Lisbon on September 6, 1951.¹ It was announced at that time that this agreement, which would be made public, was concluded in accordance with North Atlantic Treaty Organization (NATO) defense plans.

Text of the agreement follows:

The Portuguese Government and the Government of the United States of America:

Having in mind the doctrine and obligations arising from Articles 3 and 5 of the North Atlantic Treaty signed in Washington April 4, 1949;

Resolved, in accordance with the preamble of that Treaty to unite their efforts for the common defense and for the preservation of peace and security;

Considering the necessity of executing in peacetime the measures of military preparation necessary to the common defense, in conformity with plans approved by the nations signatory to the referred to Treaty;

Taking into consideration that according to the provisions adopted in the North Atlantic Treaty Organization, the area of the Azores directly interests Portugal and the United States and that between them they must establish agreements for the determination and utilization of the facilities which it is possible for the first of the mentioned Governments to grant in those islands;

Agree as follows:

ARTICLE 1

The Portuguese Government grants to the Government of the United States in case of war in which they are involved during the life of the North Atlantic Treaty and within the framework and by virtue of the responsibilities assumed thereunder the use of facilities in the Azores which will be provided for in technical arrangements to be concluded by the Ministers of Defense of the two Governments.

Whenever reference is made in the text of this Agreement to technical arrangements, it is understood that such reference has to do with the technical arrangements to be agreed upon by the Ministers of Defense of the two Governments, and which are hereby authorized.

ARTICLE 2

The Governments of Portugal and of the United States, in technical and financial collaboration, and in harmony with technical arrangements to be agreed upon, will construct new installations and enlarge and improve those existing for the purpose of preparing and equipping the agreed facilities in the Azores with what is necessary for the execution of the missions for which under the defense plans they are charged with in time of war.

1) These preparatory works shall include, among other things, the storage of oil, munitions, spare parts and any supplies considered necessary for the purposes in view.

2) The term for the execution of what is set forth in the body of the present Article and in subparagraph 1 will run from the date of signature of this Agreement until the first of September 1956 with a period of grace of four months.

ARTICLE 3

All constructions and materials incorporated in the soil will from the start be considered property of the Portuguese State without prejudice to the recognized right of the

United States to use such constructions and materials in time of war or in time of peace to the extent and in the manner provided in this Agreement, and to raze and remove them for its account at the end of the term referred to in Article 1 or if the hypothesis mentioned in Article 8 should eventuate, all in accordance with technical arrangements to be agreed upon.

At the end of the period referred to in Article 1, as well as in the hypothesis provided for in Article 8, and without prejudice to the technical arrangements referred to above, the United States may raze or remove for its account technical equipment belonging to it and not necessary to the future functioning of the bases, the Portuguese Government making equitable payment for that which it desires to acquire and which may be ceded to it.

ARTICLE 4

Having in mind their eventual use in harmony with the provisions of Article 1, the Portuguese Government will undertake the maintenance of the facilities in all the period subsequent to the withdrawal of the American personnel, as stipulated in Article 7.

ARTICLE 5

For the purpose of the previous Article, and in accordance with what will be agreed upon between the Defense Ministers of the two Governments, the Government of the United States will provide facilities necessary for the apprenticeship and training of Portuguese personnel having in mind the perfect functioning of the bases as well as facilitate duly qualified American personnel and material both deemed indispensable for the missions charged to the military forces in the Azores, in time of peace as well as in time of war, in harmony with the plans established by the competent organs of the North Atlantic Treaty Organization. This American personnel in the period subsequent to the evacuation of the bases in time of peace will be under Portuguese direction.

ARTICLE 6

During the period of the preparation of the bases, in conformity with Article 2 subparagraph 2, and during the period of evacuation granted under Article 7, the transit of American military aircraft through the Lagens Airdrome continues to be permitted and there will be authorized on that base, during the same periods, the training of United States aviation and naval personnel, and United States military and civilian personnel stationed there may be increased up to the necessary. There will also be permitted the eventual visit to the airdrome of Santa Maria of some military aircraft which will be provided for by technical arrangements to be concluded between the Ministers of Defense of the two Governments.

These arrangements will fix the number and missions of the personnel employed and will define the legal statute to which they will be subject, as well as the exemptions which the personnel and material will enjoy in time of peace and in time of war.

ARTICLE 7

For a term beyond the periods in which the facilities should be utilized either in time of war or under conditions provided for in subparagraph 2 of Article 2, there will be granted by the Portuguese Government between six months and a year, in accordance with the circumstances and difficulties of the occasion, for the complete evacuation of the American personnel and their accompanying equipment, which will take place whether or not it has been possible to carry out the provisions of Article 5.

Stockpiling of materials and supplies necessary to the preparation for war, in accordance with the reasonable exigencies of the international situation, and in accordance with technical arrangements to be agreed upon, is authorized during the term referred to in Article 1.

¹ BULLETIN of Sept. 17, 1951, p. 466.

ARTICLE 8

The Government of the United States may at any moment renounce the concessions granted under the present Agreement in which case the obligations assumed in this respect by the Portuguese Government will likewise cease.

ARTICLE 9

In case of war the facilities granted may be utilized by the rest of the North Atlantic Treaty Organization members. The conditions for the utilization of the facilities by the members of the NATO will be established by agreement between the competent Portuguese and American authorities.

The Portuguese Government reserves the right to extend to the Government of His Britannic Majesty in the United Kingdom facilities analogous to those granted under this Agreement.

ARTICLE 10

The Portuguese Government will authorize, after the period of evacuation fixed in Article 7, the transit through Lagens of military aircraft of the United States carrying out missions within the framework of the North Atlantic Treaty Organization. This transit will be carried out by the utilization of the Portuguese services in the referred to Base, whether or not it has been possible to carry out the provisions of Article 5.

For beyond the period in question, and from time to time, as may be agreed between the Ministers of Defense of the two countries in the face of circumstances and in each case, the Lagens base may be utilized for the exercises of combined training of the appropriate forces of NATO. The non-Portuguese personnel necessary to effect this training will remain in the Azores only for the time necessary for each operation.

ARTICLE 11

Nothing in the technical arrangements to be agreed upon by the Ministers of Defense of the two Governments may be understood in a contrary sense to the provisions of the present Defense Agreement.

ARTICLE 12

This Agreement will enter into effect on the date of its signature and on the same date the Agreement of February 2, 1948, will cease to have validity.

In testimony thereof the respective plenipotentiaries of the two Governments have placed their signatures and affixed their seals to the present Agreement.

Done in Lisbon in two copies, in Portuguese and English, both texts having equal value, this sixth day of September, 1951.

LINCOLN MACVEAGH
PAULO CUNHA

Loan to Turkey To Help Finance Seyhan River Dam

The International Bank for Reconstruction and Development on June 18 made a loan of \$25,200,000 to the Republic of Turkey to assist in the development of the Adana Plain, a productive agricultural and industrial area in south-central Turkey. The loan will help to finance a multipurpose dam on the Seyhan River—to be used for flood control, irrigation, and hydroelectric power—and related power facilities.

These installations form the key part of the Seyhan project, a comprehensive plan being

carried out by the Turkish Government for the full control and utilization of the waters of the Seyhan River. The economic development of the Adana Plain has thus far been limited by ruinous seasonal floods, by lack of water for irrigation in other seasons, and by a serious shortage of electric power.

The works which will be financed by the Bank's loan include the construction of an earth dam, a powerhouse, step-up and step-down substations, and transmission lines to the industrial centers of Adana, Mersin, and Tarsus. The power plant will contain two 18,000-kilowatt generators. It is estimated that by 1965 the annual consumption of energy from these will reach 164 million kw.-hrs., which is about four times the total energy, both mechanical and electrical, consumed in the area in 1951. Housing will be provided for a third generator which may be installed later.

The total cost of these works will be the equivalent of about 35.8 million dollars. The Bank's loan will finance the foreign exchange costs, amounting to the equivalent of 25.2 million dollars. The loan will be used for purchases in the United States and Europe of construction materials and equipment, generating and transmission units, and for payment of engineering and contracting fees. Local currency requirements, equivalent to about 10.6 million dollars, will be provided partly by the Turkish Government and partly by private investors. The works are expected to be completed by the summer of 1956.

Other parts of the Seyhan project will be financed out of Turkey's own resources. The entire project includes the building of a system of flood-control levees along the Seyhan, Berdan, and Ceyhan Rivers, and collection channels at the foothills of the Taurus Mountains to catch the run-off of small streams; the construction of a network of canals to provide regular irrigation for approximately 144,000 hectares (356,000 acres) of land; and the further expansion of power facilities. Work on the flood-control levees is virtually completed and will be finished this year. A beginning has been made on the irrigation system; work will be resumed in 1956 after completion of the dam and is expected to be finished in 1961. Some time after 1965, power requirements should justify the expansion of the facilities being financed by the Bank. The entire program will cost the equivalent of about 67 million dollars.

Completion of the Seyhan project will bring substantial benefits to both agriculture and industry. The prevention of flood damage to crops and other property will result in average savings estimated at the equivalent of about 3 million dollars annually. Irrigation is expected to increase the production of crops in the Adana Plain, especially cotton, oilseeds, and citrus fruits, and ultimately will bring farmers additional profits estimated at the equivalent of about 16 million dollars annually.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Calendar of Meetings ¹

Adjourned during June 1952

West Point Sesquicentennial	West Point	Jan.-June
International Exhibition of Drawings and Engravings	Lugano	Apr. 10-June 2
UN Economic and Social Council:		
Human Rights Commission: 8th Session	New York	Apr. 14-June 6
ITU (International Telecommunication Union):		
Administrative Council: 7th Session	Geneva	Apr. 21-June 6
European Conference on VHF Broadcasting (41 mc/s to 216 mc/s)	Stockholm	May 28-June 30
Paris International Trade Exhibition	Paris	May 17-June 2
WMO (World Meteorological Organization):		
Regional Association for Europe: 1st Session	Zürich	May 26-June 9
UNESCO (United Nations Educational, Scientific and Cultural Organization):		
Executive Board: 30th Session	Paris	May 26-June 6
ICAO (International Civil Aviation Organization):		
Sixth Annual Assembly	Montreal	May 27-June 7
International Conference on Large Electric High Tension Systems: 14th Session	Paris	May 28-June 7
WHO (World Health Organization):		
Executive Board: 10th Session	Geneva	May 29-June 4
International Convention for Protection of Industrial Property	Vienna	June 2-7
FAO (Food and Agriculture Organization):		
Meeting of Committee on Commodity Problems	Rome	June 3-7
Council: 15th Session	Rome	June 9-14
Latin American Forestry Commission: 4th Session	Buenos Aires	June 16-21
International Whaling Commission: 4th Meeting	London	June 3-6
ILO (International Labor Organization):		
35th Session of the ILO	Geneva	June 4-28
International Meeting of Tonnage Measurement Experts	The Hague	June 4-14
Third Session of the Provisional Intergovernmental Committee for the Movement of Migrants from Europe (PICMME)	Washington	June 10-13
Sample Fairs	Barcelona	June 10-30
21st Session of the International Criminal Police Commission	Stockholm	June 9-12
Annual Meeting of the Directing Council of the American International Institute for the Protection of Childhood	Montevideo	June 13-14
Committee on Highway Programming and Planning	Washington	June 23-28

In Session as of June 30, 1952

International Materials Conference	Washington	Feb. 26, 1951-
International Conference on German Debts	London	Feb. 28-
Universal Postal Union: 13th Congress	Brussels	May 14-
UN (United Nations):		
Economic and Social Council: 14th Session	New York	May 20-
Trusteeship Council: 11th Session	New York	June 3-
26th Biennial International Exhibition of Art	Venice	June 14-
FAO (Food and Agriculture Organization):		
European Forestry and Forest Products Commission: Meeting of Working Group on Torrent Control and Protection from Avalanches	Nice	June 28-
Meeting on Home Economics and Education in Nutrition (FAO-Caribbean Commission)	Port-of-Spain	June 30-
International Philatelic Exhibition	Utrecht	June 28-
ICAO (International Civil Aviation Organization):		
Fourth Special Meeting of Rules of the Air and Air Traffic Services Committee—European-Mediterranean Region	Paris	June 30-
International Commission for the Northwest Atlantic Fisheries: Annual Meeting	St. Andrews (New Brunswick)	June 30-
ILO (International Labor Organization):		
Governing Body: 120th Session	Geneva	June 30-

¹ Prepared in the Division of International Conferences, Department of State, June 24, 1952.

Calendar of Meetings—Continued
Scheduled July 1–September 30, 1952

International Wheat Council: 10th Session.	London.	July 1–
Fifteenth International Congress on Public Education	Geneva.	July 7–
Inter-American Commission of Women: 8th General Assembly.	Rio de Janeiro	July 8–
ITU (International Telecommunication Union): Conference for the Revision of the Bermuda Telecommunications Agreement of 1945.	London.	July 9–
International Radio Consultative Committee (CCIR): Study Group X.	Geneva.	Aug. 20
UNESCO (United Nations Educational, Scientific and Cultural Organi- zation): International Center for Adult Education—Seminar on Workers' Edu- cation.	Paris.	July 12–
International Conference To Negotiate a Universal Copyright Con- vention.	Paris.	Aug. 18–
Seminar on Museums	New York.	Sept. 15–
International Congress of the Arts	Venice	Sept. 21
WMO (World Meteorological Organization): Commission for Maritime Meteorology, Meeting of	London	July 14–
Third Session of the Executive Committee	Geneva.	Sept. 9–
International Soil Fertility Meeting.	Dublin.	July 21–
Eighteenth Conference of the International Red Cross.	Toronto.	July 23–
PAIGH (Pan American Institute of Geography and History): Third Consultation on Geog. phy.	Washington.	July 25–
UN (United Nations): Economic and Social Council: Economic Commission for Asia and the Far East: Working Party on Small Scale Industries and Handicrafts Marketing: 2d Meeting.	Bangkok	July 28–
Inland Transport Committee, Highway Subcommittee: 1st Session.	Bangkok	Aug. 18–
Second Regional Conference of Statisticians	Bangkok	Sept. 1–
Inland Transport Committee, Inland Waterway Subcommittee: 1st Session.	Bangkok	Sept. 16–
Commission on Prisoners of War: 3d Session.	Geneva.	Aug. 25
Committee on Information from Non-Self-Governing Territories Ad Hoc Committee on Factors (Non-Self-Governing Territories).	New York.	Sept. 11–
Administrative Unions Committee	New York	Sept. 18–
International Sugar Council	New York	Sept. 23–
Inter-American Seminar on Vocational Education	London	July or Aug.
Second International Congress on Analytical Chemistry	University of Maryland.	Aug. 2–
Thirteenth International Exhibition of Cinematographic Art	Oxford	Aug. 4–
International Geographical Union: 8th General Assembly	Venice	Aug. 8–
International Astronomical Union: Symposium on Radio Astronomy	Washington.	Aug. 8–
Fourth World Assembly of the World Organization for Early Childhood Education.	Sydney	Aug. 11–
International Radio Scientific Union: 10th General Assembly	México, D. F	Aug. 11–
Edinburgh Film Festival, Sixth International	Sydney	Aug. 11–
Grassland Congress, Sixth International	Edinburgh	Aug. 17–
Fourth International Congress of Onomastic Sciences	State College, Pa.	Aug. 17–
International Championships for 1952 Military Pentathlon	Uppsala	Aug. 18–
ICAO (International Civil Aviation Organization): Aeronautical Information Services Division: 1st Session	Brussels	Aug. 18–
Special Diplomatic Conference to Conclude a Convention on Damage Caused by Foreign Aircraft to Third Parties on the Surface.	Montreal	Aug. 19–
Statistics Division: 2d Session	Rome	Sept. 9–
International Wine Office, 32d Plenary Session of the Committee	Montreal	Sept. 16–
Izmir International Trade Fair	Freiburg	Aug. 19–
International Union of Theoretical and Applied Mechanics: 2d General Assembly.	Izmir	Aug. 20–
Interparliamentary Union, XLI General Assembly	Istanbul	Aug. 25–
Fourth International Congress of Anthropological and Ethnological Sciences.	Bern	Aug. 28–
Bank for Reconstruction and Development, International—and Inter- national Monetary Fund: 7th Annual Meeting of the Boards of Governors.	Vienna	Sept. 1–
Third General Assembly of the International Union for the Protection of Nature.	México, D. F	Sept. 3–
International Astronomical Union: 8th General Assembly	Caracas.	Sept. 3–
Seventh International Congress and Exposition of Photogrammetry.	Rome	Sept. 4–
19th International Geological Congress	Washington and Dayton	Sept. 4–
Thirteenth International Horticultural Congress	Algiers	Sept. 8–
ILO (International Labor Organization): Chemical Industries Committee: 3d Session	London.	Sept. 8–
PASO (Pan American Sanitary Organization): 17th Meeting of the Executive Committee	Geneva.	Sept. 9–
	Habana.	Sept. 10–

July 7, 1952

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Calendar of Meetings—Continued

Scheduled July 1-September 30, 1952—Continued

PASO (Pan American Sanitary Organization)—Continued

Sixth Session of the Directing Council—and Fourth Regional Committee of the World Health Organization.	Habana.	Sept. 19-
18th Meeting of the Executive Committee	Habana.	Sept. 26-
Fourth Meeting of the International Scientific Committee for Trypanosomiasis Research.	Lourenço Marques (Mozambique).	Sept. 10-
FAO (Food and Agriculture Organization):		
FAO-ECLA Central American Seminar on Agricultural Credit	Guatemala City	Sept. 15-
Technical Advisory Committee on Desert Locust Control: 2d Meeting	Rome.	Sept.-
Eucalyptus Study Tour	Australia	Sept.-
Fourth International Congress of African Tourism	Lourenço Marques	Sept. 15-
Twenty-first International Congress for Housing and Town Planning .	Lisbon	Sept. 21-
International Council for the Exploration of the Sea	Copenhagen	Sept. 29-
International Council of Scientific Unions: 4th Meeting of the Executive Board.	Amsterdam	Sept. 30-

Current United Nations Documents: A Selected Bibliography¹

Disarmament Commission

- France, the United Kingdom of Great Britain and Northern Ireland and the United States of America: Working Paper setting forth proposals for fixing numerical limitation of all armed forces. DC/10, May 28, 1952. 5 pp. mimeo.
- First Report of the Disarmament Commission. DC/11, May 29, 1952. 6 pp. mimeo.

Economic and Social Council

- Commission on the Status of Women. Resolutions of May 23, 26 and 28, 1952. E/2237, June 3, 1952. 7 pp. mimeo.
- Economic Development of Under-Developed Countries: Methods of Financing Economic Development. Suggestions from Member Governments on financing of economic development of under-developed countries in response to General Assembly resolution 520 A (VI) and Council resolution 368 (XIII). E/2242, June 2, 1952. 6 pp. mimeo.
- Implementation of Recommendations on Economic and Social Matters. Resolution 283 (X). E/2165/Add.35, April 23, 1952. 5 pp. mimeo.
- Report of the International Bank for Reconstruction and Development. E/2168/Add.1, April 30, 1952. 23 pp. mimeo.

¹ Printed materials may be secured in the United States from the International Document Service, Columbia University Press, 2960 Broadway, New York 27, N. Y. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

The United Nations Secretariat has established an Official Records series for the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, and the Atomic Energy Commission, which includes summaries of proceedings, resolutions, and reports of the various commissions and committees. Information on securing subscriptions to the series may be obtained from the International Documents Service.

- Development of Arid Land. Report by the Secretary-General on the Activities of the United Nations and the Specialized Agencies. E/2191, April 18, 1952. 52 pp. mimeo.
- International Co-operation on Water Control and Utilization. Report of the Secretary-General under Council resolution 346 (XII). E/2205/Add.1, April 22, 1952. 118 pp. mimeo.
- Elections. Election of Members of the Permanent Central Opium Board. E/2216, May 1, 1952. 11 pp. mimeo.
- Implementation of Recommendations on Economic and Social Matters. Economic and Social Council Resolution 283 (X). Texts of Replies from Governments of Member States. E/2165/Add.37, May 2, 1952. 7 pp. mimeo.
- Implementation of Recommendations on Economic and Social Matters. Report by the Secretary-General. E/2166, May 7, 1952. 117 pp. mimeo.
- Teaching of the Purposes and Principles, the Structure and Activities of the United Nations and the Specialized Agencies in Schools and Educational Institutions of Member States. Report by the Secretary-General and the Director-General of UNESCO. E/2184, May 2, 1952. 84 pp. mimeo.
- Narcotic Drugs. International Limitation of Opium Production. E/2186/Add.2, May 19, 1952. 13 pp. mimeo.
- World Conference on Population. Report by the Secretary-General. E/2199/Add.1, May 15, 1952. 5 pp. mimeo.
- Co-ordination of the Work of the United Nations and the Specialized Agencies. Information on Regional Co-ordination of Programs of the United Nations and the Specialized Agencies and Relations with Non-United Nations Regional Organizations. Report of the Secretary-General. E/2204, April 30, 1952. 44 pp. mimeo.
- International Co-operation on Water Control and Utilization. Report of the Secretary-General under Council resolution 346 (XII). E/2205, April 25, 1952. 70 pp. mimeo.
- United Nations Programme of Technical Assistance. Under General Assembly resolutions 200 (III), 246 (III), 418 (V) and Economic and Social Council resolution 222 A (IX). Report by the Secretary-General. E/2209, April 21, 1952. 106 pp. mimeo.
- Report of the International Refugee Organization. E/2211, April 23, 1952. 38 pp. mimeo.
- Freedom of Information. Enquiry under Council Resolution 414 (XIII), Section B, III, Paragraph 28 on the

Future Work of the United Nations in the Field of Freedom of Information. Report by the Secretary-General. E/2217, May 5, 1952. 21 pp. mimeo.

Economic Development of Under-Developed Countries. Integrated Economic Development and Commercial Agreements (General Assembly Resolution 523 (VI)). Replies from Governments of Member States in response to General Assembly Resolution 523 (VI) on action taken concerning production, distribution and prices of commodities and measures to combat inflation. E/2243, June 3, 1952. 63 pp. mimeo.

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The Problem of Statelessness. Consolidated report by the Secretary-General. E/2230, A/CN.4/56, May 26, 1952. 206 pp. mimeo.

Expanded Programme of Technical Assistance. Fourth Report of the Technical Assistance Board to the Technical Assistance Committee. E/2213 (Vol. I and Vol. II), May 8, 1952. Vol. I, 150 pp., Vol. II, 329 pp. mimeo.

Migration. Report by the Director-General of the International Labour Office to the Economic and Social Council in accordance with Council resolution 396 (XIII) of 25 August 1951 on methods of international financing of European emigration. E/2235, May 28, 1952. 11 pp. mimeo.

Report of the World Health Organization. E/2239, June 3, 1952. 86 pp. mimeo.

Report of the Social Commission (Seventh Session). E/2065, August 4, 1951. 8 pp. mimeo.

Economic Development of Under-developed Countries. Methods of financing economic development. (General Assembly resolution 520 A (VI)). 31 pp. mimeo.

Replies of Governments to the Questionnaire on Forced Labour. E/AC.36/11, May 9, 1952. 110 pp. mimeo.

United Nations International Children's Emergency Fund. Financial Report for the Year Ended 31 December 1951. E/ICEF/193, April 10, 1952. 15 pp. mimeo.

Arrangement of Business at the Fourteenth Session. E/L.315, May 16, 1952. 8 pp. mimeo.

Mutual Security Act of 1952. Hearings before the Committee on Armed Services, 82d Cong., 2d sess. on S. 3086. May 8, 9, and 13, 1952. 140 pp.

General Ridgway. Hearing before the Committee on Armed Services, U.S. Senate, 82d Cong., 2d sess. Discussion with Gen. Matthew B. Ridgway re Far Eastern Situation, Kojé-Do POW Uprising, and NATO Policies. May 21, 1952. 34 pp.

Food and Famine. Procedures for International Action in the Event of Emergency Famines Arising from Natural Causes. E/2220, May 14, 1952. 16 pp. mimeo.

Report of the Economic Commission for Europe. Work Programme and Priorities 1952-1953. E/2221, May 19, 1952. 36 pp. mimeo.

Economic Development of Under-developed Countries. Methods to Increase World Productivity (General Assembly Resolution 522 (VI)). E/2224, May 21, 1952. 5 pp. mimeo.

Proceeds of Sale of UNRRA Supplies. Report by the Secretary-General. E/2227, May 23, 1952. 35 pp. mimeo.

Prevention of Discrimination and Protection of Minorities. Report by the Secretary-General under Council resolution 414 B 11 (XIII) on the future work of the United Nations in the fields of prevention of discrimination and protection of minorities. E/2220, May 23, 1952. 36 pp. mimeo.

Freedom of Information. Annotated list of documents prepared for the third, fourth and fifth sessions of the Sub-Commission on Freedom of Information and of the Press. E/2231, May 27, 1952. 5 pp. mimeo.

Expanded Programme of Technical Assistance. Report of the Technical Assistance Committee on the administration of the Expanded Programme. E/2238, May 29, 1952. 18 pp. mimeo.

Teaching of the Purposes and Principles, the Structure and Activities of the United Nations and the Specialized Agencies in Schools and Educational Institutions of Member States. Report by the Secretary-General of the United Nations and the Director-General of UNESCO. E/2184/Add. 2, May 23, 1952. 21 pp. mimeo.

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Report of the United Nations High Commissioner for Refugees to the General Assembly. A/2126, May 29, 1952. 39 pp. mimeo.

Replies of Governments (Non-Self-Governing Territories) A/AC.58/1/Add.1, May 28, 1952. 10 pp. mimeo.

Trusteeship Council

Examination of Annual Reports. Observations of the United Nations Educational, Scientific and Cultural Organization on the reports for 1951 on the Trust Territories of Tanganyika, Togoland under British administration, Togoland under French administration, Cameroons under British administration, and Cameroons under French administration. T/1012, June 17, 1952. 21 pp. mimeo.

Land Utilization in Somaliland Under Italian Administration. Memorandum submitted by the Italian Government. T/AC.36/L.50, May 12, 1952. 10 pp. mimeo.

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Memorandum Submitted by the United Nations Educational, Scientific and Cultural Organization. Transmitted in reply to the letter of the Secretary-General of April 18, 1952, inviting Unesco to consider the type and manner of assistance which it might give to the Committee on Rural Economic Development of the Trust Territories in connection with its study. T/AC.36/L.52, May 20, 1952. 6 pp. mimeo.

Rural Economic Development of the Trust Territories. Draft Second Progress Report of the Committee on the Rural Economic Development of the Trust Territories. T/AC.36/L.53, May 26, 1952. 7 pp. mimeo.

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Standing Committee on Administrative Unions. Texts of documents referred to in the letter dated March 8, 1952 from the representative of France on the Trusteeship Council to the Secretary-General. T/C.1/L.24, April 29, 1952. 13 pp. mimeo.

Social Advancement in Trust Territories. (General Assembly Resolution 323 (IV)) Penal Sanctions for Breach of Labour Contracts by Indigenous Inhabitants. T/985, May 5, 1952. 15 pp. mimeo.

Summaries of the Proceedings of the East Africa Central Legislative Assembly. Working paper prepared by the Secretariat. T/C.1/L.25, May 20, 1952. 8 pp. mimeo.

Information Relating to Paragraph 7 of Resolution 203 (VII) of the Trusteeship Council Concerning Administrative Unions. Working paper prepared by the Secretariat. T/C.1/L.26, May 23, 1952. 9 pp. mimeo.

Conditions in the Trust Territory of Somaliland Under Italian Administration. Working paper prepared by the Secretariat. T/L.266, June 6, 1952. 59 pp. mimeo.

Conditions in the Trust Territory of Ruanda-Urundi. Working paper prepared by the Secretariat. T/L.267, June 11, 1952. 57 pp. mimeo.

Tenth Report of the Standing Committee on Petitions. T/L.273, June 4, 1952. 64 pp. mimeo.

Two Covenants on Human Rights Being Drafted

DRAFTS RELATING TO CIVIL AND POLITICAL RIGHTS AND TO ECONOMIC, SOCIAL AND CULTURAL RIGHTS REVISED AT 1952 SESSION OF U. N. COMMISSION ON HUMAN RIGHTS

by James Simsarian

The U.N. Commission on Human Rights reviewed sections of the two draft Covenants on Human Rights at its 9-week session at New York from April 14 to June 13, 1952. The Commission decided to ask the Economic and Social Council to instruct the Commission to complete its work on the two draft Covenants at its next session in 1953, prior to the consideration of the two drafts by the Council and the General Assembly.

The Commission divided the previous draft of a Covenant on Human Rights into two Covenants at the request of the General Assembly—one Covenant on Civil and Political Rights and the other Covenant on Economic, Social, and Cultural Rights. The Commission rejected a proposal submitted by the Union of Soviet Socialist Republics to combine the two documents into a single Covenant.

The two Covenants are being drafted in the form of treaties, to be opened for ratification or accession by Governments after they are finally drafted by the Commission on Human Rights and approved by the General Assembly. Each Covenant will come into force when it is ratified by 20 countries and will apply only to countries which ratify it. The Covenants are in contrast to the Universal Declaration of Human Rights (approved by the General Assembly on December 10, 1948), which was drafted not in the form of a treaty but as a declaration without legally binding force.

As Mrs. Franklin D. Roosevelt, the U.S. representative on the Commission on Human Rights, pointed out at the close of the 1952 session of the Commission:¹

The drafting of the Universal Declaration of Human Rights and of the Covenants on Human Rights are part of an international effort designed to acquaint the world

with the ideas of freedom and of the vital necessity for their preservation and extension. Such an effort is indispensable in this day when totalitarian concepts are being spread vigorously not only by Communists but also by the remnants of nazism and fascism. The U.N. campaign for the promotion of human rights must be continued and prosecuted successfully if our free way of life is to be preserved.

Mrs. Roosevelt stressed the point that:

Neither of the Covenants as now drafted contains any provisions which depart from the American way of life in the direction of communism, socialism, syndicalism or statism. When such provisions have been proposed, the United States has opposed them; every proposal by the Soviet Union and its satellites to write "statism" into the Covenant has been defeated. . . . In its approach to the economic and social articles, as well as the civil and political articles, the U.S. delegation has been guided by our Constitution and by existing statutes and policies approved by the legislative and executive branches of the Federal Government.

Covenant on Civil and Political Rights

The Commission on Human Rights retained in the Covenant on Civil and Political Rights the basic civil and political rights which have been included in the draft Covenant since it was first considered by the Commission in 1947. They have been reviewed and revised by the Commission and its Drafting Committee in 1947, 1948, 1949, and 1950, as well as at its session in New York this year. These basic civil and political rights are well-known in American tradition and law. They include the right to life, protection against torture, slavery, forced labor, arbitrary arrest or detention, freedom to leave a country, freedom to return to one's country, right to a fair and public hearing by an independent and impartial tribunal, right to be presumed innocent until proved guilty, protection against *ex post facto*

¹ BULLETIN of June 30, 1952, p. 1024.

laws, freedom of religion, expression, assembly and association, and equality before the law.²

Union of Soviet Socialist Republics

As at previous sessions of the Commission, the Union of Soviet Socialist Republics sought to weaken the provisions of the Covenant but these efforts were rejected by the Commission. For example, in the consideration of the article on freedom of expression,³ the U.S.S.R. proposed that this freedom be limited "in the interests of democracy." The U.S.S.R. has repeatedly sought to distort the term "democracy" by claiming that it is descriptive of the Communist State. In line with its usual practice, the U.S.S.R. was obviously seeking by its amendment to insert language so that it could later claim that this freedom did not go beyond the limited scope of the Soviet Constitution which allows the right of expression only to those supporting the Communist State. This effort of the U.S.S.R. to negate the provision on freedom of expression in the Covenant was rejected, with only three members voting for it, the U.S.S.R. and its two satellites, the Ukraine and Poland. The U.S.S.R. submitted a similar amendment in an effort to limit the provisions of the Covenant on freedom of assembly and association, but this amendment was also rejected, with the same three being the only members of the Commission voting for the amendment.

In the case of the article of the Covenant⁴ calling for a fair and public hearing by an independent and impartial tribunal, the U.S.S.R. proposed the elimination of the term "impartial" by an amendment it submitted to the Commission. The Commission, however, rejected this amendment.

Complaint and Reporting Procedures

The Commission had only sufficient time at its 1952 session to review the substantive articles relating to civil and political rights and economic, social, and cultural rights. The Commission accordingly did not review the complaint machinery drafted at previous sessions with respect to the consideration of alleged violations of the articles on civil and political rights.⁵ The draft Covenant has thus far provided only for the filing of complaints by countries ratifying the Covenant. Such complaints may be filed only against countries which have ratified the Covenant. The Commission has rejected proposals submitted by some members of the Commission to authorize individuals, groups, or non-governmental organi-

zations to file complaints. These issues will no doubt be considered again by the Commission at its session next year. The Commission will also no doubt consider at that time the reporting procedure proposed for the Covenant on Economic, Social, and Cultural Rights.⁶

Covenant on Economic, Social, and Cultural Rights

The draft Covenant on Economic, Social, and Cultural Rights sets forth provisions relating to employment, conditions of work, trade-unions, social security, motherhood, maternity, children, young persons, the family, food, clothing, housing, standard of living, health, education, science, and culture.⁷

Differences Between Two Covenants

In drafting the Covenant on Economic, Social, and Cultural Rights, the Commission recognized that the provisions of this Covenant differed in a number of respects from the Covenant on Civil and Political Rights. These differences were set forth in the Covenant on Economic, Social, and Cultural Rights in a number of ways:

(1) The economic, social, and cultural rights were recognized as objectives to be achieved "progressively."⁸ In the case of the civil and political rights, countries ratifying the Covenant will be under an obligation to take necessary steps to give effect to these rights.⁹ A much longer period of time is clearly contemplated under the Covenant on Economic, Social, and Cultural Rights for the achievement of the objectives of this Covenant. The term "rights" is used in both the civil and political articles and the economic, social, and cultural articles. This term is used, however, in two different senses. The civil and political rights are looked upon as "rights" to be given effect immediately. The economic, social, and cultural rights, although recognized as "rights," are looked upon as goals toward which countries ratifying the Covenant would undertake to strive and to achieve these objectives to the extent permitted by available resources.

(2) It was recognized that economic, social, and cultural rights were to be achieved by many means and methods, private as well as public, and not solely through legislation. Article 2 of the Covenant on Economic, Social, and Cultural Rights expressly states that the rights recognized in that Covenant are to be achieved "by other means" as well as by legislation. The members of the Commission acknowledged that the reference to "other means" was a recognition by them that the rights

² Articles 5 to 19 of Covenant on Civil and Political Rights.

³ Article 16 of Covenant on Civil and Political Rights.

⁴ Article 12, par. 1, of Covenant on Civil and Political Rights.

⁵ Articles 20 to 46 of Covenant on Civil and Political Rights.

⁶ Articles 17 to 26 of Covenant on Economic, Social and Cultural Rights.

⁷ Articles 6 to 16 of Covenant on Economic, Social and Cultural Rights.

⁸ Article 2, par. 1, of Covenant on Economic, Social, and Cultural Rights.

⁹ Article 2, par. 2, of Covenant on Civil and Political Rights.

set forth in this Covenant could be achieved through private as well as governmental action. The obligation of a country ratifying this Covenant will be to take steps to promote conditions for economic, social, and cultural progress and development.

The U.S.S.R. repeatedly urged this year, in the same manner that it urged last year in the Commission, that economic, social, and cultural rights be stated in terms of state legislation only, but other members of the Commission rejected this approach.

(3) The economic, social, and cultural rights were necessarily drafted in general terms as contrasted to the articles on civil and political rights. It was felt by the Commission that since the economic, social, and cultural rights were stated in terms of broad objectives, general language would be adequate.

Covenants Are Non-Self-Executing

There is appropriate language in both Covenants to assure that they are non-self-executing.

Article 2 of the draft Covenant on Civil and Political Rights provides that where the rights recognized in the Covenant have not already been "provided for by existing legislative or other measures, each [Contracting] State undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of this Covenant, to adopt such legislative or other measures as may be necessary to give effect to the rights recognized in this Covenant".

This article makes it clear that the provisions of the Covenant would not, themselves, be enforceable in the courts as "the supreme Law of the Land" under article VI of the U.S. Constitution. The United States, however, when it becomes a party to the Covenant, would, together with other contracting countries, have a firm obligation to enact the necessary legislative or other measures to give effect to the rights set forth in the Covenant to the extent such measures have not already been enacted. Such legislative or other measures which are enacted would, of course, be enforceable in the courts of the United States.

Article 2 of the draft Covenant on Economic, Social, and Cultural Rights similarly ensures the non-self-executing character of its provisions. Under this Covenant, each contracting country undertakes to take steps "with a view to achieving progressively the full realization of the rights recognized in this Covenant by legislative as well as by other means." There is a recognition by this phraseology of the need for affirmative action for the achievement of the rights set forth in this Covenant. The provisions of this Covenant would not, themselves, be enforceable in the courts as "the supreme Law of the Land" under article VI of the United States Constitution.

Covenants Not to Lower Existing Standards

Provision is included in each of the Covenants to make it expressly clear that "there shall be no restriction upon or derogation from any of the fundamental human rights recognized or existing in any Contracting State pursuant to the law [of that State] . . . on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent".¹⁰ The Commission included this provision in the Covenants to stress the point that under no circumstances should either Covenant be utilized as a pretext for any decrease in the higher standards existing in some countries (such as the United States) with respect to fundamental human rights accorded to persons in these countries because of more advanced Constitutional safeguards or for any other reason.

At the same time, the Commission changed the word "shall" to "may" in the provisions on exceptions in the articles on freedom of religion, expression, assembly, and association¹¹ to make it entirely clear that the exceptions to these rights are permissive only and not in any sense mandatory. In no instance is any country called upon to apply these permissive restrictions.

With the inclusion of these provisions and changes, the members of the Commission sought to avoid the possibility of the Covenant lowering any existing higher standards of freedom in any country. They stressed the fact that the objective of the two Covenants is to raise standards in countries not so advanced as other countries with respect to human rights and freedoms.

Federal-State Article

The Commission did not have sufficient time to consider the inclusion of a Federal-State article in the two Covenants. The U.S. delegation, together with the delegations of Australia and India, however, submitted a new draft of a Federal-State article to the Commission; it will doubtless be considered at its 1953 session. The U.S. delegation has insisted on the inclusion of such an article in the Covenants since the earliest U.N. consideration of the Covenant in 1947. The Federal-State article would ensure that the constitutional balance between the powers delegated by the Federal Constitution to our Federal Government, on the one hand, and the powers reserved to the States, on the other, would not be altered by the proposed Covenants on Human Rights.

Under the proposed Federal-State article, the United States, upon its ratification of a Covenant, would undertake the same obligations as other

¹⁰ Article 4, par. 2, of Covenant on Civil and Political Rights; see also article 5, par. 2, of Covenant on Economic, Social, and Cultural Rights.

¹¹ Articles 15, 16, 17, and 18 of Covenant on Civil and Political Rights.

ratifying countries with respect to rights set forth in that Covenant which fall within the constitutional jurisdiction of the Federal Government. With respect to provisions which are wholly or in part within the jurisdiction of the several states, the only obligation of the United States would be to bring these provisions to the notice of the appropriate authorities of the individual states with a favorable recommendation and a request for information as to the law of the states in relation to these provisions of the Covenant. The United States would transmit this information to the United Nations.

The Federal-State article as now proposed expressly provides that the Covenant "shall not operate so as to bring within the jurisdiction of the Federal authority of a Federal State . . . any of the matters referred to in this Covenant which independently of the Covenant, would not be within the jurisdiction of the Federal authority." The Federal-State division of powers in the United States would be preserved by this provision; the national power would not be increased. The proposal for a Federal-State article makes it clear that the obligations undertaken by the United States under the Covenant would be limited to matters which under the Constitution of the United States are within the Federal jurisdiction independent of the coming into force of the Covenant itself.

Self-Determination

The Commission approved three paragraphs of an article on self-determination for inclusion in both Covenants. The first two paragraphs were along the lines of language adopted at the sixth session of the General Assembly on February 5, 1952. The third paragraph was added by the Commission. The United States Delegation voted for the first two paragraphs but opposed the third paragraph. In voting for the first two paragraphs, the United States delegation explained that it, however, reserved its position to propose changes in these paragraphs in the future.

The first paragraph recognizes that "All peoples and all nations shall have the right of self-determination, namely, the right freely to determine their political, economic, social and cultural status." The second paragraph calls on all countries to promote the realization of the right of self-determination in all their territories and to respect the maintenance of that right in other countries in conformity with the provisions of the United Nations Charter. The third paragraph, which the U.S. delegation opposed, provides that "the right of the peoples to self-determination shall also include permanent sovereignty over their natural wealth and resources. In no case may a people be deprived of its own means of subsistence on the grounds of any rights that may be claimed by other States."

DRAFT COVENANT ON CIVIL AND POLITICAL RIGHTS

(Preamble and first 19 articles were revised by the Commission on Human Rights at its April-June 1952 Session)

Preamble

The States Parties hereto,

CONSIDERING, that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

RECOGNIZING that these rights are derived from the inherent dignity of the human person,

RECOGNIZING that, in accordance with the Universal Declaration of Human Rights, the ideal of free men enjoying civil and political freedom and freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his economic, social and cultural rights,

CONSIDERING the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and freedoms,

REALIZING that the individual, having duties to other individuals and to the community to which he belongs, is under responsibility to strive for the promotion and observance of the rights recognized in this Covenant,

Agree upon the following articles:

PART I

Article 1 [Self-Determination]

[The Commission on Human Rights drafted this article at its 1952 Session. The Commission did not have sufficient time to consider whether the provisions of Parts II and IV should apply to this Article 1]

1. All peoples and all nations shall have the right of self-determination, namely, the right freely to determine their political, economic, social and cultural status.

2. All States, including those having responsibility for the administration of non-self-governing and trust territories and those controlling in whatsoever manner the exercise of that right by another people, shall promote the realization of that right in all their territories, and shall respect the maintenance of that right in other States, in conformity with the provisions of the United Nations Charter.

3. The right of the peoples to self-determination shall also include permanent sovereignty over their natural wealth and resources. In no case may a people be deprived of its own means of subsistence on the grounds of any rights that may be claimed by other States.

PART II [GENERAL PROVISIONS]

Article 2

1. Each State Party hereto undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in this Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

2. Where not already provided for by existing legislative or other measures, each State undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of this Covenant, to adopt such legislative or other measures as may be necessary to give effect to the rights recognized in this Covenant.

3. Each State Party hereto undertakes:

(a) To insure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;

(b) To develop the possibilities of judicial remedy and to ensure that any person claiming such a remedy shall have his right thereto determined by competent authorities, political, administrative or judicial;

(c) To ensure that the competent authorities shall enforce such remedies when granted.

Article 3

1. In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties hereto may take measures derogating from their obligations under this Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

2. No derogation from Articles 3, 4, 5 (paragraphs 1 and 2), 7, 11, 12 and 13 may be made under this provision.

3. Any State Party hereto availing itself of the right of derogation shall inform immediately the other States Parties to the Covenant, through the intermediary of the Secretary General, of the provisions from which it has derogated, the reasons by which it was actuated and the date on which it has terminated such derogation.

Article 4

1. Nothing in this Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein or at their limitation to a greater extent than is provided for in this Covenant.

2. There shall be no restriction upon or derogation from any of the fundamental human rights recognized or existing in any Contracting State pursuant to law, conventions, regulations or custom on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent.

PART III [CIVIL AND POLITICAL RIGHTS]

Article 5

1. No one shall be arbitrarily deprived of his life. Everyone's right to life shall be protected by law.

2. In countries where capital punishment exists, sentence of death may be imposed only as a penalty for the most serious crimes pursuant to the sentence of a competent court and in accordance with law not contrary to the principles of the Universal Declaration of Human Rights or the Convention on the Prevention and Punishment of the Crime of Genocide.

3. Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. Amnesty, pardon or commutation of the sentence of death may be granted in all cases.

4. Sentence of death shall not be carried out on a pregnant woman.

Article 6

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation involving risk, where such is not required by his state of physical or mental health.

Article 7

1. No one shall be held in slavery; slavery and the slave trade in all their forms shall be prohibited.

2. No one shall be held in servitude.

3. (a) No one shall be required to perform forced or compulsory labour.

(b) The preceding sub-paragraph shall not be held to preclude, in countries where imprisonment with hard labour may be imposed as a punishment for a crime, the performance of hard labour in pursuance of a sentence to such punishment by a competent court.

(c) For the purpose of this paragraph the term "forced or compulsory labour" shall not include:

(i) Any work or service, not referred to in sub-paragraph (b), normally required of a person who is under detention in consequence of a lawful order of a court;

(ii) Any service of a military character and, in countries where conscientious objection is recognized, any national service required by law of conscientious objectors;

(iii) Any service exacted in cases of emergency or calamity threatening the life or well-being of the community;

(iv) Any work or service which forms part of normal civic obligations.

Article 8

1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.

3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgment.

4. Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that such court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.

5. Anyone who has been the victim of unlawful arrest or deprivation of liberty shall have an enforceable right to compensation.

Article 9

No one shall be imprisoned merely on the ground of inability to fulfil a contractual obligation.

Article 10

1. Subject to any general law of the State concerned which provides for such reasonable restrictions as may be necessary to protect national security, public safety, health or morals or the rights and freedoms of others, consistent with the other rights recognized in this Covenant:

(a) Everyone legally within the territory of a State shall, within that territory, have the right to (i) liberty of movement and (ii) freedom to choose his residence;

(b) Everyone shall be free to leave any country including his own.

2. (a) No one shall be subjected to arbitrary exile;

(b) Subject to the preceding sub-paragraph, anyone shall be free to enter his own country.

Article 11

An alien lawfully in the territory of a State party hereto may be expelled therefrom only in pursuance of a decision reached in accordance with law and shall, except where compelling reasons of national security otherwise require, be allowed to submit the reasons against his expulsion and to have his case reviewed by and be represented for the purpose before the competent authority or a person or persons specially designated by the competent authority.

Article 12

1. All persons shall be equal before the courts or tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. The Press and public may be excluded

from all or part of a trial for reasons of morals, public order or national security in a democratic society, or when the interest of the private lives of the parties so requires, or to the extent strictly necessary in the opinion of the Court in special circumstances where publicity would prejudice the interest of justice; but any judgment rendered in a criminal case or in a suit at law shall be pronounced publicly except where the interest of juveniles otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children.

2. Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law. In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality:

(a) To be informed promptly in a language which he understands and in detail of the nature and cause of the accusation against him;

(b) To have adequate time and facilities for the preparation of his defence;

(c) To defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case where he does not have sufficient means to pay for it;

(d) To examine, or have examined the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;

(e) To have the free assistance of an interpreter if he cannot understand or speak the language used in court;

(f) Not to be compelled to testify against himself, or to confess guilt.

3. In the case of juveniles, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation.

4. In any case where by a final decision a person has been convicted of a criminal offence and where subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to him.

Article 13

1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time when the criminal offence was committed. If, subsequent to the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby.

2. Nothing in this article shall prejudice the trial and punishment of any person for any act or omission, which, at the time when it was committed, was criminal according to the general principles of law recognized by the community of nations.

Article 14

Everyone shall have the right to recognition everywhere as a person before the law.

Article 15

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to maintain or to change his religion or belief, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to maintain or to change his religion or belief.

3. Freedom to manifest one's religion or beliefs may

be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

Article 16

1. Everyone shall have the right to hold opinions without interference.

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

3. The exercise of the rights provided for in the foregoing paragraph carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall be such only as are provided by law and are necessary, (1) for respect of the rights or reputations of others, (2) for the protection of national security or of public order, or of public health or morals.

Article 17

The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.

Article 18

1. Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.

2. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on the exercise of this right by members of the armed forces or of the police.

3. Nothing in this article shall authorize States Parties to the Freedom of Association and Protection of the Right to Organize Convention, 1948, to take legislative measures which would prejudice, or to apply the law in such a manner as to prejudice, the guarantees provided for in that convention.

Article 19

All persons are equal before the law. The law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

PART IV (COMPLAINT PROCEDURE)

[Part IV was revised by the Commission on Human Rights at its 1951 session and was not considered at its 1952 session because of the lack of sufficient time to do so. The renumbering of the articles of Parts IV and V is not official, but has been done for the convenience of the reader. The Commission has not as yet decided whether the implementation procedure set forth in this Part IV should also be included in the Covenant on Economic, Social and Cultural Rights. The discussion in the 1951 session of the Commission indicated, however, wide sentiment in the Commission against the applicability of this procedure to the economic, social and cultural rights. This procedure was initially drafted by the Commission with respect to the civil and political rights in this Covenant. For these reasons this procedure is included only in this Covenant.]

Article 20
[formerly Article 33]

[Note: The Commission decided at its 1951 session to postpone the vote on the whole of this article. The following is the provisional text of the article.]

1. With a view to the implementation of the provisions of the International Covenant on Human Rights, there shall be set up a Human Rights Committee, hereinafter referred to as "the Committee", composed of nine members with the functions hereinafter provided.

2. The Committee shall be composed of nationals of the States Parties to the Covenant who shall be persons of high moral standing and recognized competence in the field of human rights, consideration being given to the usefulness of the participation of some persons having a judicial or legal experience.

3. The members of the Committee shall be elected and shall serve in their personal capacities.

Article 21
[formerly Article 34]

1. The members of the Committee shall be elected from a list of persons possessing the qualifications prescribed in Article 33 [now 20] and specially nominated for that purpose by the States Parties to the Covenant.

2. Each State shall nominate at least two and not more than four persons. These persons may be nationals of the nominating State or of any other State Party to the Covenant.

3. Nominations shall remain valid until new nominations are made for the purpose of the next election under Article 39 [now 26]. A person shall be eligible to be renominated.

Article 22
[formerly Article 35]

At least three months before the date of each election to the Committee, the Secretary General of the United Nations shall address a written request to the States Parties to the Covenant inviting them, if they have not already submitted their nominations, to submit them within two months.

Article 23
[formerly Article 36]

The Secretary General of the United Nations shall prepare a list in alphabetical order of all the persons thus nominated, and submit it to the International Court of Justice and to the States Parties to the Covenant.

Article 24
[formerly Article 37]

1. The Secretary-General of the United Nations, on behalf of the States Parties to the Covenant, shall request the International Court of Justice to elect the members of the Committee from the list referred to in Article 36 [now 23] and in accordance with the conditions set out below.

2. On receipt of the list from the Secretary-General of the United Nations, the President of the International Court of Justice shall fix the time of elections for members of the Committee.

Article 25
[formerly Article 38]

1. No more than one national of any State may be a member of the Committee at any time.

2. In the election of the Committee consideration shall be given to equitable geographical distribution of membership and to the representation of the main forms of civilization. The persons elected shall be those who ob-

tain the largest number of votes and an absolute majority of the votes of all the members of the Court.

3. The quorum of nine laid down in Article 25, paragraph 3, of the Statute of the Court shall apply for the holding of the elections by the Court.

Article 26
[formerly Article 39]

The members of the Committee shall be elected for a term of five years and be eligible for re-election. However, the terms of five of the members elected at the first election shall expire at the end of two years. Immediately after the first election the names of the members whose terms expire at the end of the initial period of two years shall be chosen by lot by the President of the International Court of Justice.

Article 27
[formerly Article 40]

1. Should a vacancy arise, the provisions of Articles 35, 36, 37 and 38 [now 22, 23, 24 and 25] shall apply to the election.

2. A member of the Committee elected to fill a vacancy shall, if his predecessor's term of office has not expired, hold office for the remainder of that term.

Article 28
[formerly Article 41]

A member of the Committee shall remain in office until his successor has been elected; but if the Committee has, prior to the election of his successor, begun to consider a case, he shall continue to act in that case, and his successor shall not act in that case.

Article 29
[formerly Article 42]

The resignation of a member of the Committee shall be addressed to the Chairman of the Committee through the Secretary of the Committee who shall immediately notify the Secretary-General of the United Nations and the International Court of Justice.

Article 30
[formerly Article 43]

The members of the Committee and the Secretary, when engaged on the business of the Committee, shall enjoy diplomatic privileges and immunities.

Article 31
[formerly Article 44]

1. The Secretary of the Committee shall be appointed by the International Court of Justice from a list of three names submitted by the Committee.

2. The candidate obtaining the largest number of votes and an absolute majority of the votes of all the members of the Court shall be declared elected.

3. The quorum of nine laid down in Article 25, paragraph 3 of the Statute of the Court shall apply for the holding of the election by the Court.

Article 32
[formerly Article 45]

The Secretary-General of the United Nations shall convene the initial meeting of the Committee at the Headquarters of the United Nations.

Article 33
[formerly Article 46]

The Committee shall, at its initial meeting, elect its Chairman and Vice-Chairman for the period of one year.

Article 34
[formerly Article 47]

The Committee shall establish its own rules of procedure, but these rules shall provide that:

- (a) Seven members shall constitute a quorum;
- (b) The work of the Committee shall proceed by a majority vote of the members present; in the event of an equality of votes the Chairman shall have a casting vote;
- (c) All States Parties to the Covenant having an interest in any matter referred to the Committee under Article 52 [now 39] shall have the right to make submissions to the Committee in writing.

The States referred to in Article 52 [now 39] shall further have the right to be represented at the hearings of the Committee and to make submissions orally.

- (d) The Committee shall hold hearings and other meetings in closed session.

Article 35
[formerly Article 48]

1. After its initial meeting the Committee shall meet:

- (a) At such times as it deems necessary;
- (b) When any matter is referred to it under Article 52 [now 39];
- (c) When convened by its Chairman or at the request of not less than five of its members.

2. The Committee shall meet at the permanent Headquarters of the United Nations or at Geneva.

Article 36
[formerly Article 49]

The Secretary of the Committee shall attend its meetings, make all necessary arrangements, in accordance with the Committee's instructions, for the preparation and conduct of the work, and carry out any other duties assigned to him by the Committee.

Article 37
[formerly Article 50]

The members and the Secretary of the Committee shall receive emoluments commensurate with the importance and responsibilities of their office.

Article 38
[formerly Article 51]

The Secretary-General of the United Nations shall provide the necessary staff and facilities for the Committee and its members.

Article 39
[formerly Article 52]

1. If a State Party to the Covenant considers that another State Party is not giving effect to a provision of the Covenant, it may, by written communication, bring the matter to the attention of that State. Within three months after the receipt of the communication, the receiving State shall afford the communicating State an explanation or statement in writing concerning the matter, which should include, to the extent possible and pertinent, references to domestic procedures and remedies taken, or pending, or available in the matter.

2. If the matter is not adjusted to the satisfaction of both Parties within six months after the receipt by the receiving State of the initial communication, either State shall have the right to refer the matter to the Committee, by notice given to the Secretary of the Committee and to the other State.

3. Subject to the provisions of Article 54 [now 41] below, in serious cases where human life is endangered the Committee may, at the request of a State Party to the Covenant referred to in paragraph 1 of this Article, deal forthwith with the case on receipt of the initial communication and after notifying the State concerned.

Article 40
[formerly Article 53]

The Committee shall deal with any matter referred to it under Article 52 [now 39] save that it shall have no power to deal with any matter:

(a) For which any organ or specialized agency of the United Nations competent to do so has established a special procedure by which the States concerned are governed; or

(b) With which the International Court of Justice is seized other than by virtue of Article . . . of the present Covenant.

Article 41
[formerly Article 54]

Normally, the Committee shall deal with a matter referred to it only if available domestic remedies have been invoked and exhausted in the case. This shall not be the rule where the application of the remedies is unreasonably prolonged.

Article 42
[formerly Article 55]

In any matter referred to it the Committee may call upon the States concerned to supply any relevant information.

Article 43
[formerly Article 56]

The Committee may recommend to the Economic and Social Council that the Council request the International Court of Justice to give an advisory opinion on any legal question connected with a matter of which the Committee is seized.

Article 44
[formerly Article 57]

1. Subject to the provisions of Article 54 [now 41], the Committee shall ascertain the facts and make available its good offices to the States concerned with a view to a friendly solution of the matter on the basis of respect for human rights as recognized in this Covenant.

2. The Committee shall, in every case and in no event later than eighteen months after the date of receipt of the notice under Article 52 [now 39], draw up a report which will be sent to the States concerned and then communicated to the Secretary-General of the United Nations for publication. The Committee shall complete its report as promptly, particularly when requested by one of the States Parties where human life is endangered.

3. If a solution within the terms of paragraph 1 of this article is reached the Committee shall confine its report to a brief statement of the facts and of the solution reached. If such a solution is not reached, the Committee shall state in its report its conclusions on the facts and attach thereto the statements made by the parties to the case.

Article 45
[formerly Article 58]

The Committee shall submit to the General Assembly, through the Secretary-General, an annual report of its activities.

Article 46
[formerly Article 59]

The States Parties to this Covenant agree not to submit, by way of petition, to the International Court of Justice, except by special agreement, any dispute arising out of the interpretation or application of the Covenant in a matter within the competence of the Committee.

PART V

Article 47
[Territories Application Article]

[This article was adopted by the General Assembly at its 1950 Session and revised only slightly by the Commission on Human Rights at its 1951 Session]

The provisions of the present Covenant shall extend to or be applicable equally to a signatory metropolitan State and to all the territories, be they Non-Self-Governing, Trust, or Colonial Territories, which are being administered or governed by such metropolitan State.

Article 48
[Federal State Article]

[The consideration of this article was postponed until the 1953 Session of the Commission on Human Rights. The United States, together with Australia and India, submitted the following proposal for this article:]

1. A federal State may at the time of signature or ratification of, or accession to, this Covenant make a Declaration stating that it is a federal State to which this Article is applicable. In the event that such a Declaration is made, paragraphs 2 and 3 of this Article shall apply to it. The Secretary General of the United Nations shall inform the other States Parties to this Covenant of such Declaration.

2. This Covenant shall not operate so as to bring within the jurisdiction of the federal authority of a federal State making such Declaration, any of the matters referred to in this Covenant which independently of the Covenant, would not be within the jurisdiction of the federal authority.

3. Subject to paragraph 2 of this Article, the obligations of such federal State shall be:

(a) In respect of any provisions of the Covenant, the implementation of which is, under the constitution of the federation, wholly or in part within federal jurisdiction, the obligations of the federal government shall, to that extent, be the same as those of Parties which have not made a declaration under this Article.

(b) In respect of any provisions of the Covenant, the implementation of which is, under the constitution of the federation, wholly or in part within the jurisdiction of the constituent units (whether described as states, provinces, cantons, autonomous regions, or by any other name), and which are not, to this extent, under the constitutional system bound to take legislative action, the federal government shall bring such provisions with favorable recommendations to the notice of the appropriate authorities of the constituent units, and shall also request such authorities to inform the federal government as to the law of the constituent units in relation to those provisions of the Covenant. The federal government shall transmit such information received from constituent units to the Secretary General of the United Nations.]

[Former articles 70 and 73 were revised by the Commission on Human Rights at its 1950 Session and were not considered at its 1951 or 1952 session because of the lack of sufficient time to do so.]

Article 49
[formerly Article 70]
[Ratification and accession]

1. This Covenant shall be open for signature and ratification or accession on behalf of any State Member of the United Nations or of any non-member State to which an invitation has been extended by the General Assembly.

2. Ratification of or accession to this Covenant shall be effected by the deposit of an instrument of ratification or accession with the Secretary-General of the United Nations, and as soon as twenty States have deposited such instruments, the Covenant shall come into force among them. As regards any State which ratified or accedes

thereafter the Covenant shall come into force on the date of the deposit of its instrument of ratification or accession.

3. The Secretary-General of the United Nations shall inform all Members of the United Nations, and other States which have signed or acceded, of the deposit of each instrument of ratification or accession.

Article 50
[formerly Article 73]
[Amendments]

1. Any State Party to the Covenant may propose an amendment and file it with the Secretary-General. The Secretary-General shall thereupon communicate the proposed amendment to the States Parties to the Covenant with a request that they notify him whether they favour a conference of States Parties for the purpose of considering and voting upon the proposal. In the event that at least one third of the States favour such a conference the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States present and voting at the conference shall be submitted to the General Assembly for approval.

2. Such amendments shall come into force when they have been approved by the General Assembly and accepted by a two-thirds majority of the States Parties to the Covenant in accordance with their respective constitutional processes.

3. When such amendments come into force they shall be binding on these Parties which have accepted them, other Parties being still bound by the provisions of the Covenant and any earlier amendment which they have accepted.

DRAFT COVENANT ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

[Preamble and first 16 articles were revised by the Commission on Human Rights at its April-June 1952 Session]

Preamble

The States Parties hereto,

CONSIDERING, that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

RECOGNIZING that these rights are derived from the inherent dignity of the human person,

RECOGNIZING that, in accordance with the Universal Declaration of Human Rights, the ideal of free men enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights,

CONSIDERING the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and freedoms,

REALIZING that the individual, having duties to other individuals and to the community to which he belongs, is under responsibility to strive for the promotion and observance of the rights recognized in this Covenant,

Agree upon the following articles:

PART I

Article 1 [Self-Determination]

[The Commission on Human Rights drafted this article at its 1952 Session. The Commission did not have sufficient time to consider whether the provisions of Parts II and IV should apply to this Article 1.]

1. All peoples and all nations shall have the right of self-determination, namely, the right freely to determine their political, economic, social and cultural status.

2. All States, including those having responsibility for the administration of non-self-governing and trust territories and those controlling in whatsoever manner the exercise of that right by another people, shall promote the realization of that right in all their territories, and shall respect the maintenance of that right in other States, in conformity with the provisions of the United Nations Charter.

3. The right of the peoples to self-determination shall also include a permanent sovereignty over their natural wealth and resources. In no case may a people be deprived of its own means of subsistence on the grounds of any rights that may be claimed by other States.

PART II [GENERAL PROVISIONS]

Article 2

1. Each State Party hereto undertakes to take steps, individually and through international co-operation, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in this Covenant by legislative as well as by other means.

2. The States Parties hereto undertake to guarantee that the rights enunciated in this Covenant will be exercised without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 3

The States Parties to the Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in this Covenant.

Article 4

The States Parties to this Covenant recognize that in the enjoyment of those rights provided by the State in conformity with this Covenant, the State may subject such rights only to such limitations as are determined by law only in so far as this may be compatible with the nature of these rights and solely for the purpose of promoting the general welfare in a democratic society.

Article 5

1. Nothing in this Covenant may be interpreted as implying for any State, group or person, any right to engage in any activity or to perform any act aimed at the destruction of any of the rights or freedoms recognized herein or at their limitation, to a greater extent than is provided for in this Covenant.

2. No restriction upon or derogation from any of the fundamental human rights recognized or existing in any country in virtue of law, conventions, regulations or custom shall be admitted on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent.

PART III [ECONOMIC, SOCIAL, AND CULTURAL RIGHTS]

Article 6

1. Work being at the basis of all human endeavour, the States Parties to the Covenant recognize the right to work, that is to say, the fundamental right of everyone to the opportunity, if he so desires, to gain his living by work which he freely accepts.

2. The steps to be taken by a State Party to this Covenant to achieve the full realization of this right shall include programmes, policies, and techniques to achieve steady economic development and full productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.

Article 7

The States Parties to the Covenant recognize the right of everyone to just and favourable conditions of work, including:

(a) Safe and healthy working conditions;

(b) Remuneration which provides all workers as a minimum with:

(i) Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular, women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work; and

(ii) A decent living for themselves and their families; and

(c) Rest, leisure and reasonable limitation of working hours and periodic holidays with pay.

Article 8

The States Parties to the Covenant undertake to ensure the free exercise of the right of everyone to form and join local, national and international trade unions of his choice for the protection of his economic and social interests.

Article 9

The States Parties to the Covenant recognize the right of everyone to social security.

Article 10

The States Parties to the Covenant recognize that:

1. Special protection should be accorded to motherhood and particularly to maternity during reasonable periods before and after childbirth; and

2. Special measures of protection, to be applied in all appropriate cases within and with the help of the family, should be taken on behalf of children and young persons, and in particular they should not be required to do work likely to hamper their normal development. To protect children from exploitation, the unlawful use of child labour and the employment of young persons in work harmful to health or dangerous to life should be made legally actionable; and

3. The family, which is the basis of society, is entitled to the widest possible protection. It is based on marriage, which must be entered into with the free consent of the intending spouses.

Article 11

The States Parties to the Covenant recognize the right of everyone to adequate food, clothing and housing.

Article 12

The States Parties to the Covenant recognize the right of everyone to an adequate standard of living and the continuous improvement of living conditions.

Article 13

The States Parties to the Covenant, realizing that health is a state of complete physical, mental and social well-being, and not merely the absence of disease or infirmity, recognize the right of everyone to the enjoyment of the highest standard of health.

The steps to be taken by the States Parties to the Covenant to achieve the full realization of this right shall include those necessary for:

(a) The reduction of infant mortality and the provision for healthy development of the child;

(b) The improvement of nutrition, housing, sanitation, recreation, economic and working conditions and other aspects of environmental hygiene;

(c) The prevention, treatment and control of epidemic, endemic and other diseases;

(d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness.

Article 14

1. The States Parties to the Covenant recognize the right of everyone to education, and recognize that education shall encourage the full development of the human personality, the strengthening of respect for human rights and fundamental freedoms and the suppression of all incitement to racial and other hatred. It shall promote understanding, tolerance and friendship among all nations, racial, ethnic or religious groups, and shall further the activities of the United Nations for the maintenance of peace and enable all persons to participate effectively in a free society.

2. It is understood:

(a) That primary education shall be compulsory and available free to all;

(b) That secondary education, in its different forms, including technical and professional secondary education, shall be generally available and shall be made progressively free;

(c) That higher education shall be equally accessible to all on the basis of merit and shall be made progressively free;

(d) That fundamental education for those persons who have not received or completed the whole period of their primary education shall be encouraged as far as possible.

3. In the exercise of any functions which they assume in the field of education, the States Parties to the Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools other than those established by the public authorities which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious education of their children in conformity with their own convictions.

Article 15

Each State Party to the Covenant which, at the time of becoming a party to this Covenant, has not been able to secure in its metropolitan territory or other territories under its jurisdiction compulsory primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory primary education free of charge for all.

Article 16

1. The States Parties to the Covenant recognize the right of everyone:

(a) To take part in cultural life;

(b) To enjoy the benefits of scientific progress and its applications.

2. The steps to be taken by the States Parties to this Covenant to achieve the full realization of this right shall include those necessary for the conservation, the development and the diffusion of science and culture.

3. The States Parties to the Covenant undertake to respect the freedom indispensable for scientific research and creative activity.

PART IV [REPORTING PROCEDURE]

(Part IV was initially drafted by the Commission on Human Rights at its 1951 Session and was not considered at its 1952 Session because of the lack of sufficient time to do so. The renumbering of the articles of Parts IV and V is not official, but has been done for the convenience of the reader. The Commission has not as yet decided whether the procedure set forth in this Part IV should also be applicable to civil and political rights. Sentiment at the 1951 session of the Commission was divided

on this issue. This procedure was, however, initially drafted by the Commission with respect to the economic, social and cultural rights in this Covenant. For this reason this procedure is included only in this Covenant.)

Article 17

[formerly Article 60]

The States Parties to this Covenant undertake to submit reports concerning the progress made in achieving the observance of these rights in conformity with the following articles and the recommendations which the General Assembly and the Economic and Social Council, in the exercise of their general responsibility may make to all the Members of the United Nations.

Article 18

[formerly Article 61]

1. The States Parties shall furnish their reports in stages, in accordance with a programme to be established by the Economic and Social Council after consultation with the States Parties to this Covenant and the specialized agencies concerned.

2. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under this part of the Covenant.

3. Where relevant information has already previously been furnished to the United Nations or to any specialized agency, the action required by this Article may take the form of a precise reference to the information so furnished.

Article 19

[formerly Article 62]

Pursuant to its responsibilities under the Charter in the field of human rights, the Economic and Social Council shall make special arrangements with the specialized agencies in respect of their reporting to it on the progress made in achieving the observance of the provisions of this Part of the Covenant falling within their competence. These reports shall include particulars of decisions and recommendations on such implementation adopted by their competent organs.

Article 20

[formerly Article 63]

The Economic and Social Council shall transmit to the Commission on Human Rights for study and recommendation the reports concerning human rights submitted by States, and those concerning human rights submitted by the competent specialized agencies.

Article 21

[formerly Article 64]

The States Parties directly concerned and the specialized agencies may submit comments to the Economic and Social Council on the report of the Commission on Human Rights.

Article 22

[formerly Article 65]

The Economic and Social Council may submit from time to time to the General Assembly, with its own reports, reports summarizing the information made available by the States Parties to the Covenant directly to the Secretary-General and by the specialized agencies under Article . . . indicating the progress made in achieving general observance of these rights.

Article 23

[formerly Article 66]

The Economic and Social Council may submit to the Technical Assistance Board or to any other appropriate international organ the findings contained in the report of the Commission on Human Rights which may assist

such organs in deciding each within its competence, on the advisability of international measures likely to contribute to the progressive implementation of this Covenant.

Article 24
[formerly Article 67]

The States Parties to the Covenant agree that international action for the achievement of these rights includes such methods as conventions, recommendations, technical assistance, regional and technical meetings and studies with governments.

Article 25
[formerly Article 68]

Unless otherwise decided by the Commission on Human Rights or by the Economic and Social Council or requested by the State directly concerned, the Secretary-General of the United Nations shall arrange for the publication of the report of the Commission on Human Rights, or reports presented to the Council by specialized agencies as well as of all decisions and recommendations reached by the Economic and Social Council.

Article 26
[formerly Article 69]

Nothing in this Covenant shall be interpreted as impairing the provisions of the Charter of the United Nations and of the Constitutions of the specialized agencies, which define the respective responsibilities of the various organs of the United Nations and of the specialized agencies in regard to the matters dealt within this Covenant.

PART V

Article 27
[Territories Application Article]

[This article was adopted by the General Assembly at its 1950 Session and revised only slightly by the Commission on Human Rights at its 1951 Session]

The provisions of the present Covenant shall extend to or be applicable equally to a signatory metropolitan State and to all the territories, be they Non-Self-Governing, Trust, or Colonial Territories, which are being administered or governed by such metropolitan State.

Article 28
[Federal-State Article]

[The consideration of this article was postponed until the 1953 Session of the Commission on Human Rights. The United States, together with Australia and India, submitted the following proposal for this article:]

1. A federal State may at the time of signature or ratification of, or accession to, this Covenant make a Declaration stating that it is a federal State to which this Article is applicable. In the event that such a Declaration is made, paragraphs 2 and 3 of this Article shall apply to it. The Secretary General of the United Nations shall inform the other States Parties to this Covenant of such Declaration.

2. This Covenant shall not operate so as to bring within the jurisdiction of the federal authority of a federal State making such Declaration, any of the matters referred to in this Covenant which independently of the Covenant, would not be within the jurisdiction of the federal authority.

3. Subject to paragraph 2 of this Article, the obligations of such federal State shall be:

(a) In respect of any provisions of the Covenant, the implementation of which is, under the constitution of the federation, wholly or in part within federal jurisdiction, the obligations of the federal government shall,

to that extent, be the same as those of Parties which have not made a declaration under this Article.

(b) In respect of any provisions of the Covenant, the implementation of which is, under the constitution of the federation, wholly or in part within the jurisdiction of the constituent units (whether described as states, provinces, cantons, autonomous regions, or by any other name), and which are not, to this extent, under the constitutional system bound to take legislative action, the federal government shall bring such provisions with favorable recommendations to the notice of the appropriate authorities of the constituent units, and shall also request such authorities to inform the federal government as to the law of the constituent units in relation to those provisions of the Covenant. The federal government shall transmit such information received from constituent units to the Secretary General of the United Nations.]

[Former Articles 70 and 73 were revised by the Commission on Human Rights at its 1950 Session and were not considered at its 1951 or 1952 Session because of the lack of sufficient time to do so.]

Article 29
[formerly Article 70]
[Ratification and Accession]

1. This Covenant shall be open for signature and ratification or accession on behalf of any State Member of the United Nations or of any non-member State to which an invitation has been extended by the General Assembly.

2. Ratification of or accession to this Covenant shall be effected by the deposit of an instrument of ratification or accession with the Secretary-General of the United Nations, and as soon as twenty States have deposited such instruments, the Covenant shall come into force among them. As regards any State which ratified or accedes thereafter the Covenant shall come into force on the date of the deposit of its instrument of ratification or accession.

3. The Secretary-General of the United Nations shall inform all Members of the United Nations, and other States which have signed or acceded, of the deposit of each instrument of ratification or accession.

Article 30
[formerly Article 73]
[Amendments]

1. Any State Party to the Covenant may propose an amendment and file it with the Secretary-General. The Secretary-General shall thereupon communicate the proposed amendment to the States Parties to the Covenant with a request that they notify him whether they favour a conference of States Parties for the purpose of considering and voting upon the proposal. In the event that at least one-third of the States favour such a conference the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States present and voting at the conference shall be submitted to the General Assembly for approval.

2. Such amendments shall come into force when they have been approved by the General Assembly and accepted by a two-thirds majority of the States parties to the Covenant in accordance with their respective constitutional processes.

3. When such amendments come into force they shall be binding on those parties which have accepted them, other parties being still bound by the provisions of the Covenant and any earlier amendments which they have accepted.

•*Mr. Simsarian is assistant officer in charge of United Nations Cultural and Human Rights Affairs and also adviser to the U.S. representative on the Commission on Human Rights.*

U.S. Proposes Investigation of Bacteriological Warfare Charges

Statements by Ernest A. Gross

Deputy U.S. Representative to the United Nations

NEED FOR ELIMINATION OF GERM WARFARE¹

*Mr. President:*²

Despite the lateness of the hour, I feel that the situation and the comments which you have made require a reply on my part. With the permission of the Council I should like to proceed to make such a reply.

Mr. President, it seems to me that we are faced with a situation which we must consider very carefully. For some time, there has been under way on the part of the Government of the Soviet Union a campaign which has been repeatedly characterized by all responsible officials of the Unified Command, and by others in a position to know the facts, as a false and malicious campaign regarding the use of bacteriological warfare in Korea.

In view of the nature of the statement which the representative of the Soviet Union has made this afternoon, I do not intend at this time to go into detail regarding the nature of that campaign of lies nor to elaborate other than to say that there has been no evidence, no evidence whatever, placed before the membership of the United Nations or manifested in any other way, on any other front, throughout the world that the Soviet Government has abandoned its campaign of lies regarding the question of germ warfare.

It is a matter—

[At this point, the President, Mr. Malik, appeared to consider ruling Ambassador Gross out of order.]

I believe I have the floor, Mr. President. I think that many people will be touched, if not interested, in the respect which the President of the Council purports now to observe for the rules of procedure

¹ Made in the Security Council June 18 and released to the press by the U.S. Mission to the U.N. on the same date.

² Yakov Malik, U.S.S.R. representative to the U.N., served as president of the Security Council during June. He also serves as representative of the U.S.S.R. on the U.N. Disarmament Commission.

in contrast to the abuse of those rules in August of 1950.³ I think that it will be clear to the members of the Council, and I hope as well to the President of the Council, that what I am about to say will show very definitely and clearly why the comments which I have made are completely relevant to the question of the Geneva protocol and its ratification.

I had started to say, Mr. President, that I do not intend to speak more about the germ warfare charge at this time, except to say that we are not yet convinced by any means that the Soviet Government is prepared to abandon a false and malicious charge, the continuation of which can be fraught only with misfortune and disaster.

The reference to the germ warfare propaganda campaign which the Soviet Government has been carrying on is quite relevant, inescapably connected with the subject of the Geneva protocol. I am sure that everyone will realize that in appraising the merits of the proposal of the Soviet Government in the resolution regarding the Geneva protocol, it is absolutely essential to keep in mind whether the motive of those who make that proposal stand the light of truth and of inspection.

The draft resolution, which the Soviet representative submitted today and to which I shall address myself directly, the draft resolution would have the Security Council appeal to all states to accede and to ratify the Geneva protocol of 1925. And the protocol, as is known, provides for the prohibition of the use in war of asphyxiating, poisonous, or other gases, and of all analogous liquids, materials, or devices, as well as bacteriological methods of warfare.

As was said in the Disarmament Commission, when the proposal was made by the Soviet representative regarding the Geneva protocol, and when the claim was made that the ratification of that

³ A reference to Mr. Malik's presidency of the Council in August 1950.

protocol is an essential condition, an element of a peaceful world and of a disarmament program, it was our representative in the Commission, Ambassador Cohen, who said then, and I repeat his words now:

Those who make false charges concerning the use of bacteriological warfare can just as easily make false promises not to use bacteriological warfare.*

When in 1925 the Geneva protocol was proposed and signed, statesmen still hoped that exchange of promises would be honored by all states. Most of them then, as most of them today, regarded treaties as binding on those who signed them. An agreement was an agreement; and many thought that this was sufficient without any need for machinery to safeguard the observance of the agreements.

The United States signed but did not ratify this protocol. The reasons why the United States Senate did not ratify the protocol may be of interest to the historian of American attitudes of that period. But these reasons are no more relevant to a consideration of the problem today than would, let us say, consideration by the Security Council of the attitudes of the Soviet Government toward the rest of the world in 1925. What matters deeply to us and to all those who, we believe, comprise the freedom-loving world, what matters are the problems which confront us all today. It was in full recognition of these problems that we are talking about today, that in 1947 the President of the United States withdrew the Geneva protocol from the Senate calendar along with 18 other treaties which had become just as obsolete as the Geneva protocol. The world has moved since 1925 and the question of ratification must be viewed in the light of today's facts.

Soviet Reservations

One of those facts is that the Soviet Union, in acceding to the Geneva protocol, stated the following reservation:

(1) The said Protocol only binds the Government of the USSR in relation to the States which have signed and ratified or which have definitely acceded to the Protocol.

(2) The said Protocol shall cease to be binding on the Government of the USSR in regard to all enemy States whose armed forces or whose Allies *de jure* or in fact do not respect the restrictions which are the object of this Protocol.

The first point, the point in the first reservation to which I have referred, means that the Soviet Government by its own reservation feels free to use poison gases or germ weapons against any state which for any reason has not ratified the protocol. This, it seems to me, exposes the sham character of the pretense that poison gases or germ weapons should never be used under any circumstances, which is implied by the statement of the Soviet representative in his resolution that

the use of these weapons is inadmissible. They are clearly not considered inadmissible for use by the Soviet Government under the conditions which are set forth in the reservations which the Soviet Government made to the protocol.

The second point, the second reservation is equally important, even more important. It means that the Soviet Government regards itself as free to use poison gases or germ warfare against any state which it decides to label an enemy and which it declares has used these weapons, where as I have said the reservation states that the protocol "shall cease to be binding on the Government of the USSR in regard to all enemy States whose armed forces or whose Allies *de jure* or in fact do not respect the restrictions which are the object of this Protocol."

It is here that the President will observe that the close connection between the actions which his Government has taken in a campaign of lies regarding germ warfare are so intimately related to the question of what the Geneva protocol means to the Soviet Government today.

I do not mean to suggest for a moment that the reservation which I have quoted is in itself inappropriate. Other states which acceded to the protocol, including some members of this Council, have expressed a similar reservation. What I do say is that the Soviet Government by charging the U.N. Command with the use of bacteriological weapons has set the stage for using these weapons itself if it should decide to declare that the states resisting aggression in Korea are its enemies.

The Chinese Communist and North Korean authorities are not parties to the protocol. But even if they signed it or should do so today, under the Soviet reservation and on the basis of the same false charges they have made against the United Nations regarding the use of germ warfare, they could proclaim this very afternoon their right to attack with germ weapons every member of the United Nations which is supporting the action against their aggression in Korea.

It seems to me very clear how extremely limited is the nature of the illusion of a Soviet promise in the Geneva protocol. The Soviet representative in his statement a short while ago referred to a declaration of policy regarding the stockpiling of weapons. The Geneva protocol does not refer to or limit in any way the stockpiling of weapons. The Soviet Union has not by signing the protocol or otherwise agreed to stop manufacturing weapons either for gas warfare or for bacteriological warfare. It has not even promised not to use such weapons. It has promised, for what that promise is worth, not to use them first except against countries which have not ratified the convention, and there they do not even attach that limitation of not using them first.

The present resolution, therefore, the one before us, we characterize and stamp as a fraud, for in

* BULLETIN of June 9, 1952, p. 912.

it the Soviet Government asks other states, or would have the Council recommend to other states, to ratify a protocol which the Soviet Union on the basis of its own false charges, which have not been withdrawn by anything which the representative of the Soviet Union said today, on the basis of its own false charges his Government could declare no longer binding upon itself.

That is the situation in which the world finds itself today.

The real question is not the exchange of promises with or without reservations. The world is concerned not about the announced intentions of states, whether or not they plan to use or promise not to use certain weapons. It is concerned about the known abilities of states, whether or not they possess certain weapons, and of the capacities and means to employ them.

Soviet Union Engaged in Research

The Soviet Union admits it is engaged in research on bacteriological weapons. For instance, in 1938, Marshal Voroshilov said:

Ten years ago or more the Soviet Union signed a convention abolishing the use of poison gas and bacteriological weapons. To that we still adhere, but if our enemies use such methods against us I tell you we are prepared and fully prepared to use them also and to use them against aggressors on their own soil.

There was never an attempt made on the part of the Soviet Union to conceal the fact that it was prepared and fully prepared, as Voroshilov said, to use this weapon, the use of which the Soviet resolution fraudulently describes, from its own point of view, as inadmissible.

The United States, for its part, thinks it is obvious that until an effective disarmament program is agreed upon, we must build our own defenses, for this is the only way left to us to deter potential aggressors.

It is the possibility that states may use bacteriological weapons that must be faced. It is the danger that aggressors may use bacteriological weapons that must be eliminated.

The best evidence of the United States attitude toward germ warfare is our own record. The United States has never used germ warfare in World War II or at any other time. I am authorized to say on behalf of the Unified Command that the United States has not and is not using germ warfare of any kind in Korea. The people of the United States, along with the rest of the decent world, are sickened at the very thought of the use of the weapons of mass destruction. We are sickened also by aggression and the threat of aggression. That is why the United States stands ready to eliminate weapons of mass destruction through the establishment of an effective system based upon effective safeguards so that their use may be prohibited effectively and would indeed be impossible.

The United States, however, is unwilling, completely unwilling to participate in committing a fraud on the world through placing reliance solely upon paper promises which permit the stockpiling of unlimited quantities of germ warfare or other weapons that could be used at the drop of a hat; which permit the most elaborate preparations behind the Iron and behind the Bamboo Curtains and with preparations that could not possibly be detected.

Let us eliminate the weapons. That will bring a sense, a real sense of security to the world.

My Government proposes not the exchange of promises against the use of such weapons but the absolute elimination of such weapons. We want to see the world in a situation where these weapons together with all weapons of mass destruction cannot in fact be used at all, for the simple reason that no one has them and that everyone can be sure that no one has them.

The Soviet Union now in effect proposes a "declaration" prohibiting atomic weapons. The United States proposes a system of international control of atomic energy, which will actually prohibit and prevent the use of atomic weapons because no nation will possess the means to make them. An overwhelming majority of the members of the United Nations have shown through the years their conviction that only through this approach can the world be freed from the danger of atomic warfare. An overwhelming majority showed a similar conviction with regard to germ warfare when they voted last fall to establish under the Security Council the Disarmament Commission and directed it to find means of eliminating all weapons of mass destruction under a system of safeguards adequate to insure that they really are eliminated.

It is in the Disarmament Commission of course that this discussion, this very discussion, properly belongs. The Soviet representative, in my view erroneously invoking a point of order under the rules, has pointed out—I regret that he has not done so more frequently in the Disarmament Commission—has pointed out that there is a great and important distinction between the question of regulation of armaments on the one hand and the question of charges, false charges, concerning their use on the other.

By his own admission this question and this proposal deal not with the false charges of germ warfare. They deal with the problem of the regulation of armaments and the prohibition of weapons of mass destruction. That admission merely confirms, what I think most of us realize, that the Disarmament Commission is the proper body in which to pursue this discussion and at the present time, I think, the only proper body.

We have ourselves in the Disarmament Commission, as have a number of our colleagues, already explained our position in regard to the Geneva protocol and in regard to the elimination,

the actual elimination, of all weapons of mass destruction, including atomic and germ warfare.

By his draft resolution the Soviet representative is attempting to transfer the discussion of one phase of the regulation of armaments from the Disarmament Commission at this time to the Security Council. I think I have shown that the Geneva protocol itself does not even begin to provide the minimum requirements needed today to guarantee against the use of bacteriological warfare.

Nevertheless, the declared objective of the Soviet draft resolution is to provide, and I quote from it, "for the prohibition of the use of bacteriological weapons." That objective my Government shares. That objective my Government believes, and I think the overwhelming majority of the members of the United Nations shares our view, can be achieved only by detailed plans of international control set in a framework of comprehensive disarmament proposals covering all armed forces and all armaments.

For these reasons the U.S. delegation moves, pursuant to rule 33, paragraph 4, of our rules of procedure, that the Soviet draft resolution, document S/2663, be referred to the Disarmament Commission for consideration, pursuant to the terms of reference of that commission, in connection with the proposals which the General Assembly has directed the Disarmament Commission to prepare "for the elimination of all major weapons adaptable to mass destruction."

I respectfully hope that members of the Council will agree that this is the proper way for the Council to deal with the Soviet draft resolution. Item 2 of the program of work adopted by the Disarmament Commission on March 26 of this year reads: "Elimination of weapons of mass destruction and control with a view to ensuring their elimination."

That is the program of work of the Disarmament Commission. Unless there be any doubt as to what that means, the U.S. representative on the Disarmament Commission, along with several other members, has said that this specifically is intended to include bacteriological weapons. He has also said, and this is pertinent to our discussion today, the U.S. Government is interested in disarmament as a means of preventing war, outlawing war, not as a means of regulating war.

That statement of policy I think brings us, and I conclude with this, very close to the heart of our problem here. Aggression is the enemy, not the particular weapons used, as the General Assembly has itself declared in a resolution overwhelmingly supported by the United Nations under the title Peace Through Deeds. Aggression is the enemy. The elimination of weapons of mass destruction, the drastic reduction of armed forces, and the regulation of the weapons needed to support those armed forces will decrease the possibility of aggression. It is because we wish

to see real progress in this vital task that we propose the referral of the Soviet draft resolution to the Disarmament Commission.

REQUEST FOR IMPARTIAL INVESTIGATION^{*}

The resolution which the President of the Council has submitted to us has all the characteristics of a disembodied spirit.

The Soviet representative has asked the Council to adopt a resolution urging the ratification of a protocol now 27 years old. However, if his arguments prove anything at all, it is not that the Council should act. On the contrary, taking his argument at face value, it shows the need for pressing on in the Disarmament Commission with plans for the effective control of all weapons of mass destruction, including germ warfare weapons. Everything he says confirms our view that the Soviet draft resolution should be referred to the Disarmament Commission for consideration pursuant to its terms of reference.

In the Disarmament Commission, the Soviet representative spoke in a manner utterly contradictory to what he says here in the Security Council. In speech after speech he attacked my country with utterly false and malicious accusations, that we were killing Korean and Chinese civilians and soldiers through the use of germ warfare. He does not now withdraw and abandon these lies. Instead, he submits to the Council a resolution asking for the ratification of the Geneva protocol of 1925 on the prohibition of bacteriological weapons.

But between his resolution and the charges regarding germ warfare he proceeds to draw a thin and rusty iron curtain. He tells us there is no connection whatever between the two. Why does he make these delicate distinctions?

Can it be because the introduction of the germ warfare charges inevitably invites an investigation into the charges?

The Soviet representative has concentrated on the Geneva protocol of 1925, implying that there must be something sinister in the fact that the United States has not ratified it.

I have already called his attention to the fact that this is the year 1952, not 1925. We are concerned, the whole free world is concerned, with the facts of life which we face today. In light of the facts of history, is it any wonder that in the field of weapons control, the paper pledge has given way to insistence upon workable, practical systems for elimination of all weapons of mass destruction, including germ warfare and the atom weapon?

The Soviet representative brought in the report by the Special Committee of the League of Na-

^{*} Statement made in the Security Council June 20 and released to the press by the U.S. Mission to the U.N. on the same date.

tions as authority for the contention that there could be no effective control of bacteriological weapons. The Soviet Government apparently believes that it is useless even to try to devise such controls. My Government differs.

To wage bacteriological warfare on any large scale is a vast operation requiring extensive munitions of the conventional type, arsenals for manufacturing and loading, and carriers. Preparations for waging such warfare can be detected in a relatively open world. An open world such as is envisaged in the proposals before the Disarmament Commission where international inspectors have free access to the entire national territory of all states, we believe, would afford an effective safeguard against large-scale preparation for bacteriological warfare.

We are convinced that the methods for effective safeguards must be sought by sincere people working honestly to accomplish that objective. The proper place to accomplish this is in the Disarmament Commission and in its committees.

In his statement here on Wednesday [June 18], the Soviet representative indicated that the Disarmament Commission was sidestepping the control of germ warfare. He stated in particular that the United States had submitted no practical proposals on the prohibition of bacteriological weapons and that we opposed a proposal concerning the prohibition of bacterial weapons. He is wrong in both cases. What are the facts? The United States has consistently taken the position that the elimination of bacteriological weapons must be included in a comprehensive and coordinated disarmament program. To quote from a statement to the Disarmament Commission by the United States representative, Ambassador Cohen, on May 27:⁶

Bacteriological weapons can be eliminated only if certain states are willing, as the United States is willing, to establish an effective system of safeguards. The technical safeguards connected with bacteriological warfare would differ from those of atomic energy and also from those in connection with other types of nonatomic weapons. . . .

The first and all-important safeguard against bacteriological warfare, however, is an open world, a world where no state could develop the military strength necessary for aggression without other states having ample warning and the opportunity to protect themselves.

But what of the Soviet representative's second claim, his contention that in the Disarmament Commission we opposed consideration of the question of banning bacteriological weapons? He is an accomplished creator of straw men and this is no exception. He has selected a paragraph from the *Soviet Plan of Work*, which was voted down as a whole by a vote of 9 to 1. The Commission adopted as a better formulation another plan of work which covered the prohibition of germ warfare. It is included in subparagraph B of the

⁶ BULLETIN of June 9, 1952, p. 913.

work plan on the elimination of all major weapons adaptable to mass destruction. It is therefore quite untrue to state that the United States opposes or has opposed consideration of the prohibition of germ warfare in the Disarmament Commission.

In his statement here Wednesday, the Soviet representative also referred to the protracted discussion in the United Nations on the reduction of armaments and the prohibition of atomic weapons as having diverted attention from the prohibition of bacterial weapons. He added that attention was drawn to this point by the report of the Secretary-General of the United Nations to the third session of the General Assembly.

However, on this very report of the Secretary-General, of which Mr. Malik spoke so warmly on Wednesday, *Pravda* in its issue of September 16, 1948, declared:

Trygve Lie twice refers to bacteriological warfare. Is not the definite purpose of this to distract the attention of the General Assembly and of world public opinion from the existing unresolved question of atomic energy? This attitude of Trygve Lie is in accord with the interests of the Anglo-American Bloc, but in no way conforms with the interests of peace and security of the peoples of the world.

In much the same vein on Wednesday, the Soviet representative accused us of diversionary tactics in connection with his resolution. For example, take the question of reservations to the Geneva protocol. If you will recall, I pointed out that the Soviet Union had made certain reservations to the Geneva protocol. These reservations had the effect of allowing the Soviet Government to use poison gas or germ warfare against any state which had not ratified the protocol. Furthermore, I pointed out that the Soviet Government, through its reservations, was free to use poison gas or germ warfare against any state which it labeled an enemy, and which it declares has used these weapons.

I pointed out that many states had expressed similar reservations concerning the Geneva protocol. I was not criticizing them for having done so. The Soviet representative either misunderstood or intentionally missed the point. Let me bring out the point as sharply as possible.

These reservations become a fraud and a trick when the government which expresses them habitually and brazenly uses in its propaganda arsenal the weapon of the lie. There is a world of difference between the government which reserves its right to fight fire with fire and that which paves the way for using such weapons by falsely charging others with their use.

We have witnessed for months now an international campaign, sponsored by the Soviet Union and designed to sell the world on the false and wicked lie, that the United States is waging bacterial warfare in Korea. Acting on this totally false premise, the Chinese and North Korean Communists, even if they were full signatories

to the Geneva protocol, could proclaim today their right to use germ warfare against the United Nations forces in Korea.

Geneva Protocol Not Enough

This is the point which the Soviet representative avoided. This is how a legal and justifiable reservation can be twisted into a basis for criminal action. This is how even such a well motivated document as the Geneva protocol can be used not as a defense against an aggressive act but as an excuse for it. This is why the Geneva protocol is not enough. This is why we place our faith in an international, coordinated system for the control and elimination of weapons of mass destruction, including bacteriological weapons.

But we know, even if the Soviet representative chooses to state otherwise, that the Geneva protocol has been invoked here for purposes other than the legitimate control of bacteriological weapons. It is, as we have said, part of the campaign of lies pressed so assiduously by the international Communist movement concerning the alleged use of germ warfare in Korea. For it is designed to "prove" that the United States has always wanted to have a free hand to wage germ warfare, if it chose to do so.

The Soviet representative seems determined to isolate the Geneva protocol from the realities of Soviet propaganda. That is his privilege in the Council. We, on the other hand, have a right to expose the falsity of these charges and we intend to ask for it now. We are not misled by the sham device of the Soviet representative in pretending in this forum that his arguments on the Geneva protocol are not related to his Government's false charges of germ warfare.

We believe the Council must concern itself with this question. We should have an impartial investigation of the alleged use of germ warfare.

I request the Security Council to meet on Monday, June 23, at 3 p. m. to consider the following new agenda item: "Question of request for investigation of alleged use of bacteriological warfare."

I request the Acting Secretary-General and you, Mr. President, to place this new item *directly after* the item which deals with the Geneva protocol of 1925, if action on that item has not been completed prior to the Monday meeting.

On Monday if that item dealing with the Geneva protocol appears on the provisional agenda, I shall at that time vote for the adoption of an agenda with my Government's new item *directly after* the Geneva protocol item.

Action by the Security Council is necessary to prevent the charges of bacteriological warfare from continuing to poison the relations between states and to obscure the historic and decisive significance of the U.N. action in repelling aggression in Korea. For the information of the Council, Mr. President, I am now handing to you a draft resolution for circulation under my agenda item. It is less than a page in length. For the information of the Council I should like to read it.

Text of U.S. Draft Resolution¹

THE SECURITY COUNCIL

NOTING the concerted dissemination by certain governments and authorities of grave accusations charging the use of bacteriological warfare by United Nations forces in Korea;

NOTING that the Government of the USSR has repeated these charges in organs of the United Nations;

RECALLING that when the charges were first made the Unified Command for Korea immediately denied the charges and requested that an impartial investigation be made of them;

REQUESTS the International Committee of the Red Cross, with the aid of such scientists of international reputation and such other experts as it may select, to investigate the charges and to report the results to the Security Council as soon as possible;

CALLS UPON all governments and authorities concerned to accord to the International Committee of the Red Cross full cooperation, including the right of entry to, and free movement in, such areas as the Committee may deem necessary in the performance of its task,

REQUESTS the Secretary General to furnish the Committee with such assistance and facilities as it may require.

¹ U.N. doc. S/2671, dated June 20, 1952.

The United States in the United Nations

[June 20–July 3, 1952]

Security Council

The Council on June 26 rejected the Soviet draft resolution calling on all states to accede to and ratify the Geneva Protocol of 1925 on the prohibition of bacteriological warfare. All the members, with the exception of the Soviet Union, abstained from voting after unanimously emphasizing that the problem of dealing with mass-destruction weapons is one of eliminating the weapons rather than offering paper pledges concerning their use. They supported the view that the comprehensive program under discussion in the Disarmament Commission would take care of the elimination of all weapons of mass destruction.

Ambassador Ernest A. Gross (U.S.), in explaining the United States vote on the motion, stated:

... I think it is clear to all that the ten votes have been cast as a measure of the scorn and of the repudiation which I think all ten members of the Council, except the Soviet representative, feel for the futile and vain trick which the Soviet Government has attempted to perpetrate upon this Council, in raising the false issue of the ratification of the Geneva Protocol. It seems clear from the debate which has taken place and from the action which we have witnessed just now as a symbol of unity, which will not crack and strain however violent the efforts may be of the Soviet Government to confuse and to divide and to terrorize the free world.

Ambassador Gross concluded by stating that in view of the Council's repudiation of the U.S.S.R.'s "attempt to mislead us and others throughout the world into believing that the Geneva Protocol is the secret of security today," he did not consider it necessary to present the United States motion to refer to the Disarmament Commission the rejected Soviet resolution.

On June 20 Ambassador Gross requested that the Council place on its agenda as of June 23 a United States item entitled "Question of Request for Investigation of Alleged Bacteriological Warfare" and in connection therewith submitted a draft resolution¹ requesting the International Committee of the Red Cross (ICRC), with the aid of such scientists of international reputation and such other experts as it may select, to investigate the charges against the United Nations Forces in

Korea and to report the results to the Security Council as soon as possible. The draft resolution also called upon all governments and authorities concerned to accord to the ICRC full cooperation, including the right of entry to and free movement in, such areas as the Committee may deem necessary in the performance of its task.

Through the obstructionist tactics of Mr. Malik (U.S.S.R.), President of the Security Council for June, the vote—10–1 (Soviet Union)—0—to include this item on the agenda was not taken until June 25. The Soviet representative insisted that before the item could be adopted it would be necessary to approve his proposal that representatives of the People's Republic of China (PRC) and of North Korea be invited to participate in the discussion. Ambassador Gross pointed out that such a matter could not be decided in advance and that such a course had never been followed before. He recalled that in the Disarmament Commission the U.S.S.R. had repeatedly made the bacteriological charges and, in fact, had spoken for the PRC and Northern Korean representatives on those occasions. After adoption of the agenda item, the Council would decide what sort of problem it was faced with and then could consider any proposals regarding participation. He added, however, that the United States would oppose such an invitation. The United States was not asking for presentation of evidence in the Security Council, he said. The essence of the proposal was to conduct an investigation through an impartial body.

On July 1 the Council rejected the Soviet proposal by a vote of 1 (U.S.S.R.)–10–0, and decided—9–1 (U.S.S.R.)–1 (Pakistan)—to give priority to the United States item over the agenda item of admission of new members. Mr. Malik reiterated that the question of an investigation commission was impossible without the participation of the representatives of the PRC and North Korea and that the Soviet delegation therefore would not participate in the debate and would vote against the United States resolution.

Ambassador Gross (U.S.) remarked that the Soviet representative might try to evade the truth with a "sit-down strike" but he could not sit on the truth or "veto the facts." He explained the reasons for the United States request for an impartial

¹ For text, see p. 37.

investigation and recalled in detail the facts of the origin and nature of the campaign of false charges concerning the use of germ warfare in Korea by the United Nations Command. In conclusion, he reiterated that the larger issue involved was the awful Soviet policy of hate. As this was a revolt against the fundamental purpose of the Charter, Ambassador Gross urged that the United Nations and the whole world keep alert to its effects.

On July 3 the U.S.S.R., casting its forty-ninth veto, voted against the United States resolution requesting an investigation by the ICRC. The vote was 10-1-0. Ambassador Gross then introduced a resolution condemning the dissemination of false charges, "which increases tension among nations. . . ."

Economic and Social Council

A major item considered by Ecosoc during the past month of the fourteenth session was the problem of economic development of underdeveloped countries and methods of financing such development. In this connection it considered the annual report of the International Bank for Reconstruction and Development. Eugene R. Black, president of the Bank, stated that by March 31, 1952, the Bank had lent just over 1.3 billion dollars for more than 250 projects in 26 member nations.

The Bank also submitted its report, which had been requested by Ecosoc, on the proposed establishment of an International Finance Corporation "to promote the financing of productive private enterprise either through loans without government guarantee and through equity investments, or through other methods intended for the same purpose." Although not expressing opinions on the merits of such an institution and noting that further study would be required, the report declared that the corporation "would fill an important gap in the existing machinery for financing economic development."

Isador Lubin, U.S. representative, stated that although his Government was favorable to a plan through which private capital might be stimulated to invest in sound enterprises in underdeveloped countries, it was felt "that governments should wish carefully to consider the various aspects and implications of this proposal before deciding whether to embark upon it. There is also need to increase the movement of domestic private savings in the underdeveloped countries into local business enterprises," he said. He introduced a joint draft resolution, with Canada and Pakistan, which requested the International Bank to examine further this proposal for an International Finance Corporation; to consult with member governments and other interested governments on the desirability of

establishing such a corporation; and to report the results of its further examination and the action it has taken to Ecosoc during 1953. On June 23 this resolution, with the additional cosponsorship of the Philippines, was adopted by a vote of 15-0-3 (Soviet bloc).

Under this same item, the Council also adopted, June 23, by a vote of 15-0-3 (Soviet bloc), a draft resolution sponsored by Burma, Chile, Cuba, Egypt, Iran, the Philippines, and Yugoslavia which provided for the establishment of a 9-member committee, serving in personal capacities, to prepare a detailed plan for establishing a special development fund for grants-in-aid and for low-interest, long-term loans to underdeveloped countries. The Secretary-General was asked to appoint the members of the committee, which is to report to the Council not later than March 1, 1953.

In connection with this resolution, Mr. Lubin (U.S.) stated:

Our opposition is based on the grounds that the time is not opportune. In addition, the Government of the United States has reservations, in principle, to the provision of grant aid by an international agency. . . . We fully recognize the need of the less developed countries for external assistance. We have provided and we will continue to provide aid in the form of grants, loans, technical assistance and in other appropriate ways. . . . Subject to the conditions contained in the sixth General Assembly resolution, namely that "the study and elaboration of the plans . . . cannot and must not be regarded as in any way committing the governments . . . in any degree, whether financially or otherwise," the United States Delegation is prepared to support the resolution. . . .

Among other actions taken by the Council during the past month are the following:

It noted the 1950-51 report of the Food and Agriculture Organization (Fao) and (1) adopted by a vote of 15-0-3 (Soviet bloc) a French-Iranian resolution recommending that all members should take steps to help achieve the general objective of increasing the production of principal foodstuffs at an annual rate exceeding by from 1 to 2 percent the rate of the increase in population; and (2) adopted unanimously on June 30 a revised United States-Iran-Uruguay resolution calling upon the United Nations, individual governments, international organizations, and voluntary organizations to make plans for coming to the aid of the people in any country in the case of emergency famines with which the governments concerned are unable to cope. This resolution also requests, *inter alia*, that the Fao continue to develop and perfect its arrangements to detect famine emergencies as early as possible, and that the Secretary-General arrange for the coordination of the famine-emergency relief activities and report to Ecosoc on action taken.

Explanation of Passport Procedures

Press Conference Remarks by Secretary Acheson

[Released to the press June 18]

I should like to talk with you for a few moments about the passport work of the Department. I am doing this because it has been the subject of discussion throughout the country pretty much over the years but rather intensively in the last few weeks.

The criticisms of the Department fall into two main categories.

One of them comes from very determined efforts which have been made by Communist organizations who attack the Department and undermine its work in order to obtain greater freedom of movement for people engaged in the Communist movement and in Communist-front organizations. There was recently a meeting at Chicago which was devoted to this purpose. It was a meeting of an organization called the "American Committee to Survey Labor Conditions in Europe." This was an organization which had sent propaganda groups to Moscow and the purpose of the meeting was to start a vigorous campaign against the State Department because of its passport policy with respect to Communists. With that criticism I am not concerned. We expect that and that, of course, is a matter to which we will pay no attention.

There are other discussions by people who are not in any way affiliated with such groups who are, I think, sincerely worried about procedures, although they do not, I think, attack the principles upon which we operate. They are concerned about our procedures, and it is about those procedures, against the background of the passport, the development of the passport over the last 30 years or so, that I wish to speak.

In the first place, I would like to say a word about Mrs. Shipley, who is the head of the Passport Division in the State Department. She has been there for many years. I, myself, have been a colleague of Mrs. Shipley for the past 12 years, and in various capacities which I have held in the Department I worked very closely with her. I do not know any person in the service of the Government who brings to her work greater devotion,

greater sense of public obligation and public duty, greater knowledge of the field, and greater skill than does Mrs. Shipley. I believe quite fortunately that view is widely held throughout the country. I have the greatest confidence in Mrs. Shipley and her administration of the Passport Division.

Now a word about passports and this matter of freedom of travel. Before World War I the passport was a fairly rare document. When I was a young man, the first two or three times that I went abroad one could, if one wished, come to the State Department and obtain a passport if the Government felt one was entitled to this official identification. But most people did not do that. It was not required and they traveled perfectly freely, got on a boat and went where they wished to go.

During World War I an official document permitting one to travel was required almost universally and this involved a sanction on the part of at least two governments. The government of the traveler's own country gave him an official paper signed by a high official of the government identifying the person as a citizen of that country and sponsoring to that extent his travel abroad. The receiving country then had to look at the document and grant a visa. So travel took on a more official character than it had before.

The American Government always in issuing passports exercised some judgment and was required to exercise some judgment. Nobody has any serious question of the fact that people who are fugitives from justice, people who are mentally ill, people who are setting out on a mission adverse to the national interests of the country concerned cannot expect to be given an official document permitting them to travel. That has always been true, and under the law the Secretary of State has to exercise his discretion and his good sense in this matter. I believe that that has been exercised fairly and properly as long as I can remember and that deals strictly with the administration of Mrs. Shipley.

Recently other considerations have become involved: the growth of the Communist conspiracy;

the growth of the Communist-front organizations; the growing awareness both by our courts and Congress that members of this organization were engaged in activities detrimental to the national interests of the United States has led the Congress to pass some legislation dealing with people of this sort which is not yet operative and has led the Department to give consideration to the appropriateness of issuing passports to such people. This, by no means, concerns the great category of people who are denied them. There are all the other categories which I mentioned earlier.

Now, I would like to put this whole matter in a certain statistical perspective. For instance, between July of last year and May 31 of this year, 325,000 passports have been issued by the Government of the United States. During that period, 95 requests for passports were denied because of evidence of membership in subversive organizations and another 95 passports were recalled after action by the passport holders indicated subversive affiliation or intent. So, this is the quantitative dimension of the problem with which we are dealing. That, of course, does not solve the problem at all. Whether only 95 or only 1 have been denied, if that one was improperly denied through improper procedures, or was whimsically denied, or unjustly denied, that would be wrong and would require corrective action.

In my judgment, there has been no arbitrary action of any sort. The action has been taken to the very best judgment of the persons concerned. Our procedures are not perfect. The judgment of these human beings may not be perfect but it is exercised as fairly and as well and as much in the devotion to the public interest as is possible for human beings to do. We can always improve our procedures. We are always trying to improve our procedures. They are flexible in growing, and we are at work now on improving our procedures.

Procedures for Issuing Passports

Perhaps you would like to know what they are. They are as follows: When an application is received for a passport at the Passport Division, the files of the Department are examined, and if there is nothing in those files to raise any questions regarding the person concerned, the passport is issued immediately, as a matter of routine.

Then we come to the second step. If there is adverse information, this information is reviewed at a higher level in the Passport Division, and if the information is not such as to provide reasonable grounds for belief that the passport should be denied—and the reasons for denial I have already mentioned to you—if there are not reasonable grounds from the totality of its evidence to indicate the applicant does not fall within any of the categories mentioned, then the passport is issued.

Sometimes the information in our files is not

adequate to reach a fair decision. In that case, the proper investigative bodies of the Government are asked to make a further examination regarding the applicant and to provide all the information regarding him or her which they can collect. When this has been collected, the file is sent to the Security Division of the Department, where the information is evaluated to see whether it is mere gossip—whatever is said about the person in regard to any of these criteria—whether it is or is not in the judgment of the Security Division persuasive.

If, after that review, it does not establish factual evidence sufficient to deny a passport, the passport is issued. If there is sufficient factual evidence, it is denied, and the applicant is informed that his travel is not considered in the best interests of the United States.

Third, if the case is complicated in any way—if there are difficult questions in it—the Passport Division submits the files and its decision to higher levels in the Department for decision, before the applicant is denied or granted a passport. The person concerned is informed that he may supply any additional information or may discuss the case with officials of the Passport Division. This has been done in a great number of cases, and new evidence furnished by the applicant has often resulted in the issuance of a passport.

Fourth, if the question of denial is based on the ground that the travel of the applicant may be harmful to the national interests of the United States, the political officers of the geographic areas in which the travel is to take place are consulted, and they take part in the decision as to whether the passport should be granted or rejected.

Fifth, any new evidence or information which the applicant may submit is referred to the officers who first evaluated the case. These officers are required to evaluate the new information and give their opinion as to whether the passport should or should not be issued.

Sixth, although we cannot violate the confidential character of the passport files by making public confidential information contained therein, the disclosure of which would affect the national security, an effort is made to inform the applicant of the reasons for the denial to the fullest extent possible within the security limitations.

Applicant Has Right to Counsel

The procedures which I have just described are pointed out to him so he may have opportunity to present his case. He is also informed that he may be represented by counsel of his choice, and that he or his counsel, or both, may be heard by the chief of the Passport Division or some other responsible officer.

At the present time the Passport Division does, in this way that I have described, hear many appeals from a preliminary decision to deny a

passport. In many cases this hearing, generally conducted by the chief or assistant chief of the Passport Division—far from being capricious or arbitrary—has led to the reversal of the preliminary procedure and the granting of a passport.

Furthermore, the chief of the Passport Division does not have final authority in the denial of passports, and the fact that this is so is made known to the applicant so that the applicant can ask for what further consideration he or she thinks necessary.

These are the procedures under which we are operating. As I say, they are the best that we have been able to develop to date, in order to protect both the interests of the United States, which are very great in this matter, and the interests of the citizen, which are also great.

We are continually reviewing these procedures. They are being reviewed now as they have been many times before; and if any improvements can be found, anything recommended by Mrs. Shipley, by the Deputy Under Secretary in charge of Administration, or by the Legal Adviser, all of whom are interested—deeply interested in perfecting these procedures—those improvements will be put into effect.

We are doing the best we can. We know that this is a situation in which we never can please everybody because we must, in the national interest, reject some applicants, and those applicants are always going to feel aggrieved by our action. Therefore, there will always be criticism. Some of the criticism will be honest criticism. I don't for a moment wish to impugn the motives of any of the persons other than this group of Communist-front organizations who are attacking the State Department in this manner. We know that our task is difficult. We know that we have great public responsibilities which we are trying to discharge in the best way that we can. We are doing the best that we know how to do.

THE DEPARTMENT

Appointment of Officers

Kenneth T. Young as Director of the Bureau of Far Eastern Affairs, effective March 20.

George M. Ingram as Director of the Office of International Administration and Conferences, effective May 16.

Edwin M. Martin as Special Assistant to the Secretary for Mutual Security Affairs, effective May 19.

William I. Cargo as Deputy Director of the Bureau of United Nations Affairs, effective June 3.

Point Four Appointment

John Ralph Nichols as Director of Technical Cooperation in Egypt, effective May 20.

PUBLICATIONS

Recent Releases

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Germany: External Debt. Treaties and Other International Acts Series 2274. Pub. 4323. 13 pp. 5¢.

Agreement between the United States, the United Kingdom, France, and the Federal Republic of Germany—Signed at Bonn Mar. 6, 1951; entered into force Mar. 6, 1951.

Oil Shale Study in Brazil. Treaties and Other International Acts Series 2296. Pub. 4352. 9 pp. 5¢

Agreement between the United States and Brazil—Signed at Rio de Janeiro Aug. 16, 1950; entered into force Aug. 16, 1950.

Army Mission to Venezuela. Treaties and Other International Acts Series 2299. Pub. 4365. 12 pp. 10¢.

Agreement between the United States and Venezuela—Signed at Washington Aug. 10, 1951; entered into force Aug. 10, 1951.

Agriculture: Cooperative Program in Panama. Treaties and Other International Acts Series 2302. Pub. 4368. 9 pp. 5¢.

Agreement between the United States and Panama—Signed at Panamá July 30, 1951; entered into force July 30, 1951.

Defense Materials. Treaties and Other International Acts Series 2305. Pub. 4382. 4 pp. 5¢

Agreement between the United States, the United Kingdom, France, and the Federal Republic of Germany—Signed at Bonn Oct. 23, 1950 and Mar. 6, 1951; entered into force Mar. 6, 1951.

Technical Cooperation. Treaties and Other International Acts Series 2307. Pub. 4384. 5 pp. 5¢.

Agreement between the United States and Saudi Arabia—Signed at Jidda Jan. 17, 1951; entered into force Jan. 17, 1951.

Naval Mission to Cuba. Treaties and Other International Acts Series 2310. Pub. 4388. 12 pp. 5¢.

Agreement between the United States and Cuba—Signed at Washington Aug. 28, 1951; entered into force Aug. 28, 1951.

Conference for the Conclusion and Signature of the Treaty of Peace With Japan, San Francisco, Calif., Sept. 4-8, 1951—Supplement. International Organization and Conference Series II, Far Eastern 3. Pub. 4392A. 161 pp. Limited distribution.

Supplement to the Record of Proceedings.

Highway Project in Ethiopia: Services and Facilities of the United States Bureau of Public Roads. Treaties and Other International Acts Series 2312. Pub. 4394. 10 pp. 5¢.

Agreement between the United States and Ethiopia—

Department of State Bulletin

Signed at Addis Ababa Feb. 26 and 27 and May 2, 1951; entered into force Feb. 27, 1951.

Exchange of Official Publications. Treaties and Other International Acts Series 2314. Pub. 4402. 3 pp. 5¢.

Agreement between the United States and the United Kingdom—Signed at Washington July 13 and 30, 1951; entered into force July 30, 1951.

Vocational Education Mission to El Salvador. Treaties and Other International Acts Series 2315. Pub. 4403. 3 pp. 5¢.

Agreement between the United States and El Salvador extending and modifying agreement of Jan. 27 and Feb. 12, 1951—Signed at San Salvador June 25, 1951; entered into force June 25, 1951; operative July 1, 1951.

Inter-American Highway. Treaties and Other International Acts Series 2319. Pub. 4411. 4 pp. 5¢.

Agreement between the United States and Costa Rica amending agreement of Jan. 16, 1942—Signed at Washington Jan. 13 and 17, 1951; entered into force Jan. 17, 1951.

Parcel Post. Treaties and Other International Acts Series 2322. Pub. 4414. 28 pp. 10¢.

Agreement and detailed regulations between the United States and the Gold Coast Colony—Signed at Accra June 3, 1951, and at Washington June 14, 1951; entered into force Aug. 1, 1951.

Norwegian Mobile Surgical Hospital: Participation in the United Nations Operations in Korea. Treaties and Other International Acts Series 2325. Pub. 4425. 3 pp. 5¢.

Agreement between the United States and Norway—Signed at Washington Sept. 17, 1951; entered into force Sept. 17, 1951.

Economic Cooperation With Ireland Under Public Law 472, 80th Congress, as Amended. Treaties and Other International Acts Series 2326. Pub. 4428. 2 pp. 5¢.

Agreement between the United States and Ireland amending agreement of June 28, 1948, as amended—Dated at Dublin Apr. 20 and June 7, 1951; entered into force June 7, 1951.

Food Production: Cooperative Program in Haiti. Treaties and Other International Acts Series 2329. Pub. 4433. 4 pp. 5¢.

Agreement between the United States and Haiti supplementing agreement of Sept. 18 and 27, 1950—Signed at Port-au-Prince June 28, 1951; entered into force June 29, 1951.

Food Production: Cooperative Program in Haiti. Treaties and Other International Acts Series 2330. Pub. 4434. 4 pp. 5¢.

Agreement between the United States and Haiti supplementing agreement of Sept. 18 and 27, 1950, as amended—Signed at Port-au-Prince Aug. 23 and Sept. 28, 1951; entered into force Sept. 28, 1951.

Education: Cooperative Program in Honduras. Treaties and Other International Acts Series 2333. Pub. 4439. 15 pp. 10¢.

Agreement between the United States and Honduras—Signed at Tegucigalpa Apr. 24, 1951; entered into force Apr. 24, 1951.

Fisheries Mission to El Salvador. Treaties and Other International Acts Series 2337. Pub. 4442. 8 pp. 5¢.

Agreement between the United States and El Salvador—Signed at San Salvador July 19, 1951; entered into force July 19, 1951.

Disposal of Defense Installations and Equipment. Treaties and Other International Acts Series 2353. Pub. 4450. 3 pp. 5¢.

Agreement between the United States and Canada—Signed at Ottawa June 17 and 18, 1949; entered into force June 18, 1949.

Health and Sanitation: Cooperative Program in Bolivia. Treaties and Other International Acts Series 2354. Pub. 4472. 3 pp. 5¢.

Agreement between the United States and Bolivia—Signed at La Paz Aug. 27 and Oct. 19, 1951; entered into force Oct. 19, 1951.

Aviation: Air Transit Facilities in the Azores. Treaties and Other International Acts Series 2345. Pub. 4488. 3 pp. 5¢.

Agreement between the United States and Portugal—Signed at Lisbon May 30, 1946; entered into force May 30, 1946.

Finance: Collection and Application of the Customs Revenues of the Dominican Republic. Treaties and Other International Acts Series 2365. Pub. 4490. 3 pp. 5¢.

Termination of convention and exchange of notes between the United States and the Dominican Republic signed Sept. 24, 1940—Exchange of notes signed at Washington Aug. 9, 1951.

Automobiles, Customs Concessions. Treaties and Other International Acts Series 2370. Pub. 4497. 3 pp. 5¢.

Provisional agreement between the United States and Chile—Signed at Santiago June 2, 1951; entered into force June 2, 1951; operative retroactively from Mar. 16, 1951.

Education, Cooperative Program in Panama, Additional Financial Contributions. Treaties and Other International Acts Series 2372. Pub. 4499. 4 pp. 5¢.

Agreement between the United States and Panama—Signed at Panamá Aug. 10 and Oct. 23, 1951; entered into force Oct. 23, 1951.

Economic Cooperation With Austria Under Public Law 472, 80th Congress, as Amended. Treaties and Other International Acts Series 2380. Pub. 4507. 2 pp. 5¢.

Agreement between the United States and Austria—Signed at Vienna May 11 and 15, 1951; entered into force May 15, 1951.

Technical Cooperation. Treaties and Other International Acts Series 2385. Pub. 4517. 5 pp. 5¢.

Agreement between the United States and Costa Rica amending agreement of Jan. 11, 1951—Signed at San José Dec. 19 and 20, 1951; entered into force Dec. 20, 1951.

THE FOREIGN SERVICE

Confirmations

The Senate on June 24 confirmed nominations of the following: Burton Y. Berry as Ambassador to Iraq; Donald R. Heath as Ambassador to the State of Vietnam and to the Kingdom of Cambodia; and James S. Moose, Jr., as Minister to the Republic of Syria.

The Senate on June 26 confirmed the nominations of Phelps Phelps as Ambassador to the Dominican Republic and Angus Ward as Ambassador to Afghanistan.

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Releases may be obtained from the Office of the Special Assistant for Press Relations, Department of State, Washington 25, D. C. Items marked (*) are not printed in the BULLETIN; items marked (†) will appear in a future issue.

No.	Date	Subject
474	6/18	Acheson: Passport procedures
477	6/18	Visit of King Faisal II of Iraq
480	6/19	Military facilities in Azores
482	6/20	U.S.-Panama air transport agreement
484	6/20	Allegation regarding Owen Lattimore (combined with 505)
485	6/22	Acheson: Departure for Europe & Brazil
*486	6/23	Mesta: Honorary degree
487	6/23	Sargeant: Meaning of citizenship
*488	6/23	Pt. 4 personnel complete course
†489	6/24	Lake Ontario high-water level
*490	6/24	Thailand: Anniversary
†491	6/24	S. African air force agreement
492	6/24	Russell: The first front
*493	6/24	Death of J. Hall Paxton
494	6/24	Visit of British Ministers
†495	6/24	Mesta: International questions
*496	6/24	Exchange of persons
497	6/24	Pierson: German external debts
498	6/25	Claims of nationals in Japan
*499	6/25	Bruce: Death of Gen. Brink
*500	6/26	Exchange of persons
501	6/27	Dedication of Berlin library
502	6/27	Acheson: Presentation of book
†503	6/27	Allison: U.S. and the Far East
504	6/28	Acheson: Remarks at cornerstone laying
505	6/28	Statement on Owen Lattimore